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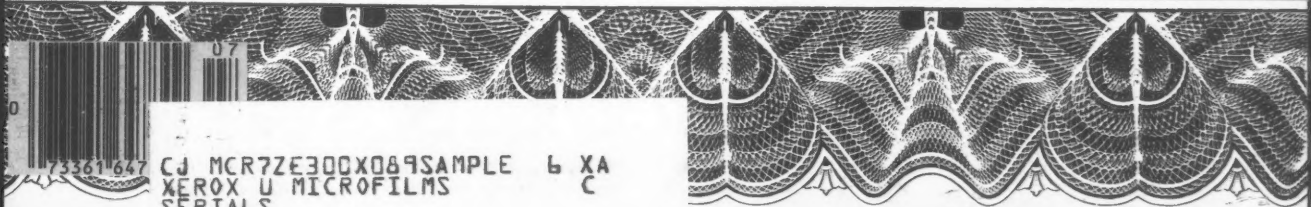


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The week Newsweek readers began firing at Will.

The week was January 12th, 1976. The subject: "Knute Rockne for President."

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with Raymond Moley's first "Perspective" column in 1937. And continuing through the years with voices as calm as Walter Lippmann and as impassioned as Stewart Alsop.

In addition, Newsweek introduced the first newsweekly columns on business, economics and sports, the first column

authored by guests and the first signed criticism of the arts.

Will and Greenfield have garnered top honors. Both are Pulitzer Prize winners. And both have been notable figures in the National Magazine Awards.

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Which brings us to our point: when a magazine starts striving for excellence, where there's a Will, there's a way.

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- To assess the performance of journalism in all its forms, to call attention to its shortcomings and strengths, and to help define — or redefine — standards of honest, responsible service . . . to help stimulate continuing improvement in the profession and to speak out for what is right, fair, and decent ●

Excerpt from the *Review's* founding editorial, Autumn 1961

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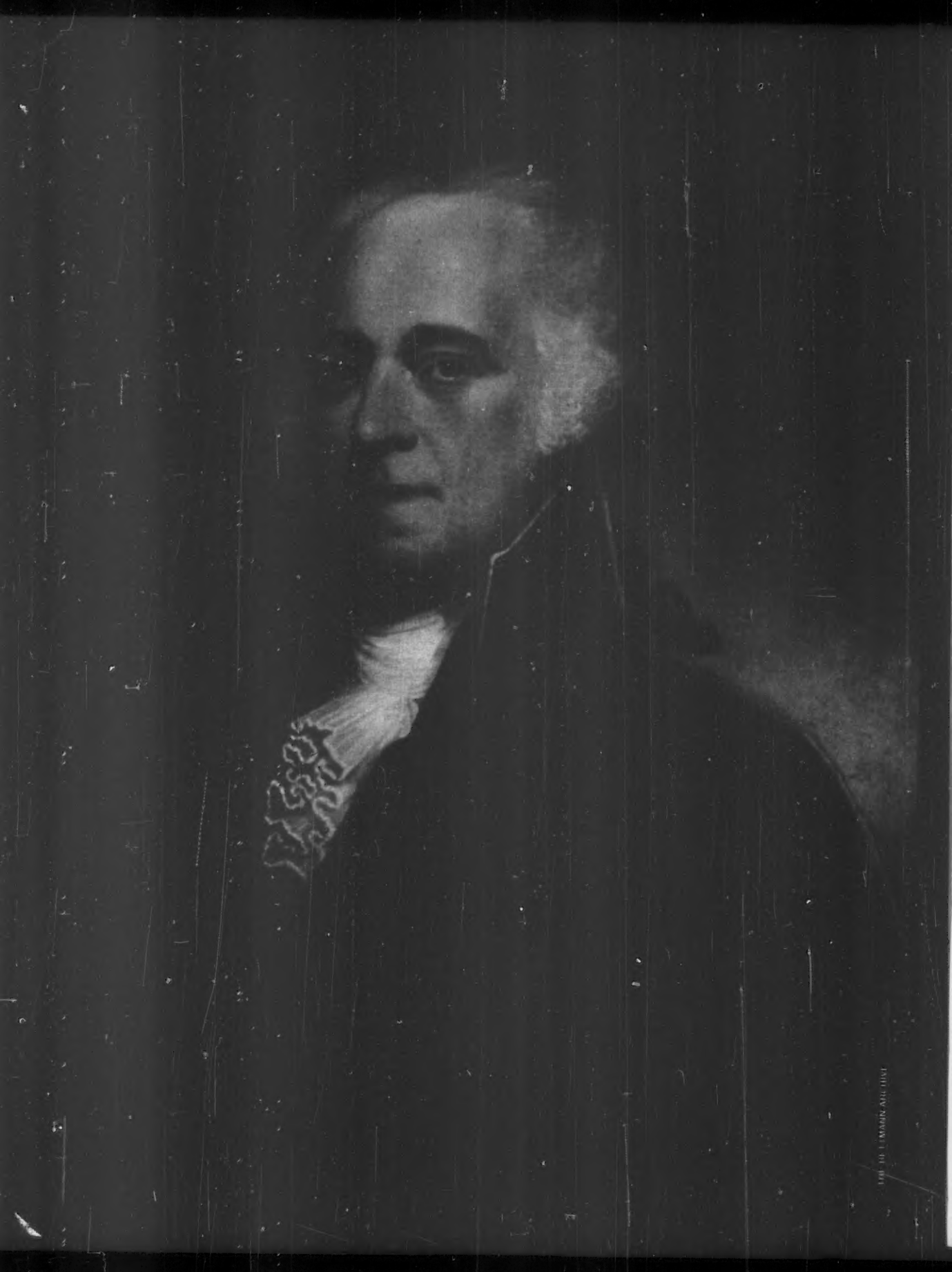
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to institute a negotiation
or had not persevered in it,
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as a man of honor.”

John Adams, 1809

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The sales pitch goes like this: In the "Office of the Future" everything will work together — computers, telephones, word processors, the works. The new *integrated* systems, they say, will even turn out the lights when you go home.

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Too often, "systems integration" turns out to mean buying more of a

—continued on next page—



—continued from preceding page—

particular vendor's products. At the core of some proposals is an open-ended commitment to a single supplier.

Few customers are eager to make such a marriage. Most are still sorting out the office of the present; they want to integrate the systems they already have.

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SHOTGUN. AT&T Information Systems believes that an integrated office system shouldn't involve junking products you already own. Nor a shotgun wedding with a single supplier.

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The kind of detail our technical friends had in mind would leave the average reader numb. The items that follow are rated G — suitable for the

*An integrated office
system shouldn't have to mean
junking products you already own.
Nor a shotgun wedding with
a single supplier.*

66

*No vendor in this market
can be all things to all people.
Somebody has to be the Integrator.
That's our Ace. We know how
to make the pieces fit.*

general business audience:

Open house. For a token \$500, AT&T will show any competitor how to link their products with our digital switching systems. (PBXs, to the trade.) The names in our guest book read like a vendor's *Who's Who*: Wang, Mitel, Hewlett-Packard, Prime, Data General, NEC and 40 others.

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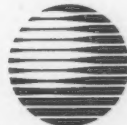
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CHRONICLE

'Bugged for life' — by VDTs

For Richard McGregor, the crippling started last August as he punched a story about an Australian politician into his video display terminal. "Suddenly, there was incredible pain shooting through my hands," he says. "I thought it would go away, but it never has." McGregor, twenty-seven, a political reporter in the Canberra bureau of *The Sydney Morning Herald*, is one of a growing number of Australian journalists who have been disabled by wrist, hand, or arm disorders known as Repetition Strain Injury.

RSI has become epidemic in Australia over the past two years as newspapers have rushed to computerize. In some newsrooms, up to one-third of the people who work with VDTs are reporting mild to acute cases, and newspapers have begun spending heavily to stem the spread of injuries. Australian occupational health specialists say RSI may be the asbestosis of the 1980s.

Richard McGregor can't use a VDT anymore. He has trouble writing by hand for long periods and is forced to dictate all his stories. Although he wears special splints to support his injured hands, simple domestic tasks such as turning a water faucet have become ago-

nizing. But it is the effect on his work that troubles McGregor most. "I have had to accept the fact that I can't work as hard as I want to," he says. "There are instances every day when I can't do stories because I can't overload myself." McGregor isn't alone: of the fourteen reporters who work with him, five have been affected by RSI.

Doctors say RSI is a white-collar manifestation of difficulties experienced by manual laborers for years. Nineteenth century medical literature refers to "craft palsies" such as gold-beater's palm and washerwoman's thumb. Wartime Morse-code operators sometimes fell victim to what was then called "glass arm." More recently, production-line workers in many industries have been known to suffer tendon-stress disorders such as tenosynovitis (inflammation of the tendon sheaths) and carpal tunnel syndrome (damage to a nerve in the hand).

It is the introduction of electronic keyboards that has put white-collar workers at risk. A typist who might have produced fifteen pages with a typewriter may produce as many as twenty-five pages on a computer terminal in the same time. With that pro-

ductivity increase, the number and speed of finger movements soar. And where typewriters call for a range of hand movements, such as inserting paper and making manual corrections, VDTs require only constant repetitive use of the keyboard. Some doctors believe this can exhaust the supply of lubricative fluids that protect tendon sheaths, causing cramps, soreness, and, ultimately, crippling ailments such as tenosynovitis.

Repetition strain injuries have been reported by white-collar workers in other countries, such as Japan and Canada, and in a 1983 survey by 9 to 5, an organization of office workers, 56 percent of U.S. VDT operators who responded said that they suffer from "muscle pain" often or daily. David Eisen, director of research and information at The Newspaper Guild, says that RSI is not uncommon in American newsrooms. "We certainly have enough cases," he says, "but not on the scale they are reporting [in Australia]."

Indeed, the large number of cases and the lack of physical symptoms, such as swelling, bruising, or tearing of tissue, have aroused the suspicions of some Australian physicians. "RSI exists as an entity the same way hysteria exists," says general practitioner Dennis Mackey. "My honest opinion is that half this country is coming down with the English disease: no one wants to work anymore." Similarly, rheumatologist Mark Awerbuch wrote in *The Medical Journal of Australia* that RSI will "one day, no doubt, find its place [in] the small print of an occupational health medical tome — possibly under the eponym of 'kangaroo paw.'"

Most doctors, however, are taking RSI seriously. They say Australia's problems may have been exacerbated by the quick introduction of computers in recent years. At the daily *Melbourne Age*, for example, some reporters went directly from manual typewriters to state-of-the-art VDTs. "Changing from one machine to the other is like going from a Sunday stroll to a marathon run," says rheumatologist Milton Cohen. "If you don't pace yourself, that change can cause serious shock to the system."

Perhaps another contributor to the high visibility of RSI in Australia is the country's activist unions. The Australian Journalists

Newsroom epidemic: Many Australian journalists, like this reporter (who asked that his face not be shown), suffer from a disabling condition associated with VDTs.



Meet five uncommon people with two things in common.



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Newsday



Josh Friedman
Newsday



Dennis Bell
Newsday



Ozier Muhammad
Newsday



Howard Rosenberg
The Los Angeles Times

They've all just earned their profession's highest honor, a Pulitzer Prize. And they all work for Times Mirror newspapers.

Josh Friedman,

Dennis Bell and Ozier Muhammad of *Newsday* received the Prize for International Reporting for their series on famine in Africa.

Murray Kempton of

Newsday received the Prize for Commentary in recognition of his distinguished career as a public commentator.

Howard Rosenberg of the *Los Angeles Times*

won the Prize for Criticism for 10 articles of television criticism. Subjects included the national political conventions and the Olympics.

These outstanding journalists join a prestigious group of Times Mirror Pulitzer Prize winners. They have extended a tradition, and we salute them.



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Association has made RSI a key issue and is pressing for compulsory rest breaks every forty-five minutes for VDT operators, increased vacation time, and guarantees that those already disabled by the ailment will not lose salary or job status. In addition, the union has filed two lawsuits charging that employers have neglected their legal duty to provide a safe workplace.

Certainly conditions in many Australian newsrooms are inferior to those in the United States. When Rupert Murdoch's three Sydney dailies installed VDTs, for example, the terminals were simply squeezed in among existing desks. Wiring hangs in tubes from the ceiling. Reporters complain that the noisy, cramped conditions and poorly designed furniture add to stress and fatigue. Murdoch's Sydney papers are among the hardest hit with RSI, and the company will soon spend \$3 million on a complete newsroom renovation.

Meanwhile, the proprietors of *The Sydney Morning Herald* have hired an ergonomist to look at ways that paper's newsroom can be improved. Among his preliminary recommendations are the redesign of VDT keyboards to distribute the most frequently used keys between both hands, the installation of wrist rests, adjustable desks, and the replacement of poorly designed chairs.

But for the reporters and copy editors who already suffer from RSI, those improvements are small comfort. For them, the prognosis is grim. While some respond temporarily to cortisone injections, acupuncture, or physiotherapy, others show no improvement at all. The only thing they can do to relieve the pain and perhaps eventually recover is to stay away from VDTs.

Richard McGregor of *The Sydney Morning Herald* has been through a dozen different treatments — from physiotherapy to T'ai Chi — looking for the miracle that will cure his injured hands and allow him to put in the long hours that used to come easily. But so far there haven't been any miracles. McGregor always imagined leaving the paper some day to try his luck as a free-lance correspondent in the Middle East or Europe. Now, he says, he can't make such plans because he is dependent on the continued support of the company. "It's too fatalistic to walk around thinking I'm buggered for life," he says. "But I do feel very restricted and it's hard not to feel sad about it."

Tony Horwitz and
Geraldine Brooks

Tony Horwitz is a reporter for *The Sydney Morning Herald*. Geraldine Brooks is a freelance writer who lives in Australia.

What's in a name?

Who owns a reporter's by-line? If he or she works for the *Rockford Register Star* in Illinois, the answer is still unclear even after an arbitrator ruled on the question last April, thereby ending a lengthy dispute between the *Star's* management and its newsroom staff.

In May 1984, members of the *Star's* news staff announced they would withhold their by-lines to protest management's bargaining position in negotiations with The Newspaper Guild. In the past, *Star* editors had honored requests that a reporter's name be removed from a story. But when the entire staff made the request, management refused and continued to publish the by-lines. Both the Guild and the paper filed grievances, and the quarrel ultimately entered arbitration.

The Guild's contention was that its contract unequivocally gave members the right to withhold their by-lines. The *Star*, however, asserted that a reporter's by-line belongs to the paper and that it was the Guild that had violated the contract, specifically a clause that prohibits employees from com-

promising the integrity of the newspaper. A journalist without a by-line, the *Star* argued, is like a TV anchor with a paper bag over his head. And an expert witness hired by the paper, Anthony J. Scantlen, associate professor of journalism at Northern Illinois University, testified that "a reporter . . . in taking a job has offered himself or herself complete with by-line."

In a decision that didn't fully satisfy either side, arbitrator Steven Briggs ordered the Guild to "cease and desist from orchestrating concerted by-line withhold [sic] actions" but upheld the right of an individual reporter to have his name taken off a story. Now, *Star* management and Guild officers are left to determine what constitutes an "orchestrated" by-line strike. "Does that mean that two people can't decide to withhold their by-lines at the same time?" asks Guild attorney Stanley Eisenstein. "I don't know."

Rita Buscanics

Rita Buscanics is an intern at the Review.

Epiphany under the palms

It was a lofty concept, all right, the notion at *The Nation* that the world would be a safer place for democracy if the editors of small, leftist magazines got together with the editors of small, rightish magazines and schmoozed over wine and Brie. Invitations went out to *The Progressive* and *The New Criterion*, *Socialist Review* and *National Review*, *The American Spectator* and *The Black Scholar*, and one weekend in April everyone got together at the University of Southern California to bridge the ideological gap by sharing common concerns like single-issue sales, postal rates, and libel suits.

In the land of flickering imagery, USC — with its Steven Spielberg Music-Scoring Stage, its terracotta-roofed buildings, and its bike paths — is as good a location as any for a picture about aging, bearded radicals and dapper conservatives sharing an epiphany under the palms. Besides, the late Carey McWilliams of *The Nation* was a USC alum, and his journalistic heir, Victor Navasky, dedicated this "Conference on the Journal of Critical Opinion" to McWilliams's memory. The format was panel discussions; the intentions good. The results? Decidedly mixed.

On Friday night, left and right had drinks and, as the brochure suggested, opportunities for "informal dining, reunions, caucusing,

networking, a night on the town, etc." Michael Kinsley of *The New Republic* engaged in discreet chat with Wladyslaw Plaszczynski, who was a last-minute substitute for R. Emmett Tyrell, Jr., of *The American Spectator*. Joseph Epstein of *The American Scholar*, having noticed Kinsley's habit of prefacing every opinion with "to be fair . . .," warned him to "keep an eye on the tic." Everyone was unfailingly politic, and politeness ruled — except during one brief brawl Saturday afternoon over high culture, *People* magazine, and Marxist theories of art criticism. Charges of paternalism, sexism, and sloppy thinking — everything except jesuitical casuistry — were flung.

But that was it for fireworks. Mostly, it was one jolly reunion of old comrades in arms, and all that was missing was a sing-along with Pete Seeger. A lot of the participants were New Yorkers, and the usual chestnuts were heard about the dehumanizing freeways, the absence of egg creams, and the appalling lack of tall buildings. Hamilton Fish 3rd, the young publisher of *The Nation*, did, however, take a party of journalists for a long drive along the Pacific Coast Highway to watch the sun set over the movie stars' homes in Malibu, and there was some discussion of a mass defection to lotus land.

On Saturday morning, left and right got

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down to business. "This is not an entertainment," Navasky said, "so I apologize for any lack of production values in whatever happens next." Navasky then proposed a list of topics for discussion: postal subsidies, circulation and distribution woes, syndication rights. Later, there were suggestions that the group form some sort of legal clearinghouse, start a trade association and a travel fund for editors and writers, and even meet annually.

Despite the high-minded professions of brother- and sisterhood, it became clear as the weekend wore on that about the only thing these journals share is their small circulations. By Sunday afternoon, some old resentments and unsettled scores from the sixties bubbled to the surface. Hilton Kra-

mer, the former *New York Times* art critic who three years ago founded the "unapologetically highbrow" *New Criterion*, had apparently had enough. With a glance at fellow panelist James Weinstein of *In These Times*, Kramer sniffed, "To put it bluntly, the readership of *The New Criterion* isn't interested in *In These Times*." Besides, he added, "It's quite unrealistic not to recognize that this conference has been, by and large, a conference of journals on the left."

William Ryan, editor of *The Guardian*, awoke from a short snooze to take the microphone and say, "I find myself surprised to be in agreement with Mr. Kramer." Instead of looking for unifying issues, Ryan said, it would be "much more productive to have a conference . . . to get a vehicle for

putting forward left-of-center positions." Erwin Knoll of *The Progressive* disagreed. "If I want to express my outrage with the Reagan administration," he said, "I don't have to fly across the country to do it — I can do it in the office with my staff."

In closing, Fish of *The Nation* said he didn't have "any sense that there's a definitive vision of where to go from here." Navasky remained hopeful. People drifted outside to watch ROTC boys marching in the hazy sunshine. Epstein, wearing a red bow tie, perhaps best summed up the affair: "I'm calling it a weekend for editors in L.A., and letting it go at that."

Robert Palm

Robert Palm is a reporter for the Los Angeles Herald Examiner

Covering Canada's Holocaust trial

Last January, a formation of twenty grim-faced men in yellow hard hats marched through a crowd of chanting Jewish Defense League activists, camera crews, and reporters into a Toronto courtroom. Their leader, Ernst Zundel, pamphleteer and self-professed Nazi sympathizer, was on trial for "spreading false news" about the Holocaust — namely, that its horrors have been greatly exaggerated. Emblazoned on the hard hats of his escorts was the phrase "freedom of speech."

Seven weeks of highly charged testimony followed as crown prosecutors sought to prove that Zundel's pamphlets violated an obscure and rarely cited Canadian law pro-

hibiting the willful publication of "false news likely to cause injury or mischief." Zundel claimed truth as his defense. This put the reality of the Holocaust on trial, and gave Zundel and his lawyer the opportunity to parade an international cast of Holocaust revisionists to the witness stand and to cross-examine concentration camp survivors who testified for the prosecution.

For Zundel, the trial was his wildest fantasy come to life — an international audience for his views, provided free by the state, courtesy of the Jewish community, which had lobbied for his prosecution. Anticipating the attention, his followers, who call themselves "Zundelists," indulged in shameless self-promotion. At one point, they sent reporters a mock ticket to the trial. "Admit One to the Great Holocaust Show Trial — Zundelists vs. Zionists," it said. And after Zundel was found guilty — in March he was sentenced to fifteen months in jail and prohibited from discussing the Holocaust in public for three years — he arrived at his sentencing carrying a twelve-foot cross labeled "freedom of speech."

For reporters, editors, and news directors, however, the trial raised serious questions about traditional notions of journalistic objectivity. Was the mere fact of reporting Zundel's views an insult to those who had suffered in the Holocaust? Should news organizations therefore have ignored a story as significant as the trial of a man being prosecuted solely for his views?

Led by the *Toronto Globe and Mail* and the state-owned Canadian Broadcasting Company, news organizations gave the trial wide play. Hours after the first stories about the trial appeared, however, angry readers and viewers began to protest. Their most persistent complaint was that the trial was being

covered at all. And if it was going to be covered, many wondered why news organizations seemed to present Zundel's assertions uncritically.

The *Globe and Mail*, for example, received numerous complaints after it ran a story that focused on the shakiness of one government witness, an Auschwitz survivor named Arnold Friedman. After relentless badgering by Zundel's attorney, Friedman agreed that he didn't know for a fact that fellow inmates who had disappeared had actually been gassed. WITNESS INDECISIVE — LAWYER CHALLENGES CREMATORIUM THEORY read the front-page headline in the next day's *Globe*. Following the testimony of a revisionist "expert," a headline in *The Toronto Star* declared: AUSCHWITZ INMATES DINED AND DANCED.

Throughout, representatives of Jewish groups urged news organizations to play the story down or at least to cover the trial in a manner more sympathetic to the crown's case. When a delegation of Jewish leaders met with top *Globe and Mail* editors to discuss the case following the trial, city editor Colin MacKenzie promised to insure "fair and balanced coverage" in all such trials. "That's what we're afraid of" was the delegation leader's response.

One commentator accused the press of something worse than sensationalism. Writing in the *Toronto* alternative weekly *Now*, Barrie Zwicker, a free-lance media critic and former *Globe and Mail* reporter, claimed that the coverage fit a pattern. News organizations, he asserted, have always been "soft on Nazism."

That journalists were clearly fascinated by the dilemmas raised by the trial was evident at a hastily arranged panel discussion last March at the national convention of the

Convicted Holocaust revisionist Ernst Zundel arrives for sentencing.



Canapress Photo Service/Toronto Star

A free market is our best protection

It's hardly a secret by now that the oil industry is undergoing a period of dramatic change. Worldwide, crude oil availability exceeds demand, and there's far more than enough refinery capacity to turn crude oil into petroleum products. Competition in all phases of the business is fierce, and profit margins are razor-thin.

Against this background, a protectionist chorus is sounding its siren song. Tariffs or some other trade barriers are needed, the protectionists say, to protect U.S. refiners and marketers of petroleum products. To which we say: Protectionist measures are a "cure" that's worse than the disease.

The big problem with protectionism is that it makes no economic sense, for these reasons:

- The consumer ends up paying for the tariff and for the misallocation of capital and labor that always follows the erection of trade barriers.
- Encouraging, through protectionism, the construction or continued operation of inefficient or unnecessary facilities inevitably makes the nation less competitive in world markets.
- Protectionist measures in any one nation always encourage retaliatory actions in other nations. If America closes a door to foreign products, American exporters will find foreign doors closed to them.

It is particularly ironic that some in the oil industry are looking to government to solve their problems. If a decade of federal controls of various types hadn't preempted the free market, the current industry rationalization would almost certainly have occurred less traumatically over the years.

In the 1960s and '70s, substantial refinery capacity was constructed in expectation of ever-rising demand. In the mid-'70s price controls in the U.S. (that didn't end until 1981) kept consumer prices artificially low, and further stimulated demand. When demand dropped sharply in the 1980s after the price of crude oil had soared, the

industry was left with massive overcapacity.

Are the memories of the public and some segments of the oil industry so short as to invite a new round of government intervention? Surely, they must remember all the arguments that were mustered in the 1960s and '70s against the policy of overriding the free market by government edict. The industry then was pointing out that inefficient refiners were being subsidized first by so-called import rights and later by the entitlements program—so much so that some operators went into the refining business for the purpose of receiving these subsidies. Precisely this misallocation of capital is exacerbating today's problems.

But painful or not, the industry is adjusting to the new market realities. Since 1980, U.S. refinery capacity has been reduced by about 17 percent (19 percent in Europe) even as billions of dollars have been and are being invested to upgrade most of the remaining capacity to yield the products now in demand.

Despite the refinery closings, the U.S. still has ample capacity—about 16 million barrels a day, which is more than total product demand, including imports. Even in the event of an international supply disruption, America has the capacity to refine all its domestic production plus the drawdown from the Strategic Petroleum Reserve, and still have as much as 3 million barrels a day of capacity in reserve.

Given the reality of an industry making the transition to a changed marketplace—and the fact that product imports pose no real threat to national security in the event of a supply disruption—the arguments of those who favor protectionism hardly seem to make sense.

Trade barriers aren't needed by the petroleum industry. They're bad economics. They drive up the prices paid by the American consumer. And, in the long run, they only worsen the problems they're supposed to solve.

Mobil

Centre for Investigative Journalism, Canada's largest press organization. Because the discussion was scheduled to start at 9:00 A.M. on a Sunday, organizers expected only a handful of people to show up. In fact, about 200 people dragged themselves out of bed to hear a representative of the Canadian Jewish Congress excoriate news organizations for falling into Zundel's trap. The Holocaust is not a theory to be debated academically and reported "objectively," said CJC spokesman Manuel Prutschi, but, rather, a historical fact. Holocaust denial, he added, is the "edge of the knife of anti-Semitism in the 1980s," and journalists had better wake up to the fact.

Not everyone was asleep. In one remarkable incident, the moderator of *Cross Country Check Up*, a popular national radio phone-in show on CBC, refused to discuss the issue of freedom of speech in relation to the Zundel trial. There was no such freedom-of-speech issue, the moderator stated flatly, and discussion of it would not be entertained on the program.

The increasingly vocal Holocaust revisionists use such incidents, and the attendant press coverage, to full effect — and make their own claims of media bias. *Prima Facie*, a Los Angeles-based newsletter devoted to "monitoring Holocaust cultism, censorship, and the suppression of free inquiry," has reproduced newspaper articles about the trial that it considers sympathetic to its cause. "The exclusion of reasonable revisionist viewpoints from the print press and electronic news media exemplifies an unworthy fear of violating taboos, an uneasiness before journalism's own professed ideals and a lack of dignity," declares a recent issue. Another California-based group has organized rallies and a mail campaign aimed at pressuring the "Canuckistan" government to stop harassing revisionists. Caught between charges of censorship, on the one hand, and, on the other, of undercutting the reality of the Holocaust, many reporters and editors recognized that they were in a no-win situation. "The very fact the charge [against Zundel] was laid set us up to be manipulated," says Lou Clancy, city editor of *The Toronto Star*. But Don Johnston, news director of CFRB, a Toronto radio station, which had a reporter on hand throughout the trial, says that had it not been for the novelty of the prosecution, the trial would not have been covered. "I think the lesson is you can be manipulated into covering something like this once, but once bitten, twice shy."

Kirk Makin

Kirk Makin, a reporter for the *Toronto Globe and Mail*, covered the Zundel trial.

California: muzzling the prison press

E.Z. Williams used to be editor of the *San Quentin News*, the California prison's weekly paper. Williams and a staff of eight other convicts worked on the *News* just about every day, covering such stories as inmate sports, prison crime, and current legal issues. Then, in April 1982, the warden barred Williams from publishing an editorial he had written attacking the death penalty. Williams challenged the decision in court and won. But the episode rankled prison authorities. Confronted with such obstacles as staff transfers and printing delays, Williams filed another suit, challenging the prison's editorial regulations. Shortly after, Williams himself was transferred to California's Soledad Prison.

Victor Diaz used to be editor of *The Vacaville Star*, the newspaper at California's Vacaville prison. When the paper was censored, Diaz, like Williams, challenged prison

'The administration here believes they can censor anything they seem to find offensive, libelous, [or] embarrassing'

Elmo Chattman, editor, *San Quentin News*

authorities — and won. But after Diaz published an issue with blank spaces marked "censored" where articles had been barred by prison officials, Vacaville's superintendent burned the entire 1,600-copy edition and shut the paper down. Diaz filed suit and soon after also found himself at Soledad.

There, Williams and Diaz began working on the *Soledad Star News*, which was banned after four issues when Williams refused to remove two controversial articles criticizing the prison administration.

The experiences of Williams and Diaz are typical of what has happened to California prison journalists in the 1980s. Five years ago there were seven relatively independent prison publications in California. Today there are only two. Although prison officials blame apathy, staff transfers, equipment breakdowns, and budget cutbacks for the closings, the editors and their attorneys say that the California Department of Corrections has closed or undermined prison publications one by one to avoid facing First Amendment challenges in the courts.

Most of the California prison newspapers

were founded in the 1940s and 1950s. They flourished in the sixties, but began getting shut down in the late seventies when overcrowding made reports of prison conditions more embarrassing to officials. In 1982, faced with a growing number of court challenges, the California Department of Corrections tried to eliminate the problem by banning all prison publications. "We were losing control of the content of the newspapers by virtue of the court cases," says Philip Guthrie, formerly the CDC's assistant director for public information. "Inmates wanted to play investigative journalist in what was essentially a house organ." The order proved politically unwise and, after much protest from prison groups and state politicians, the CDC rescinded the ban.

Later that year, the California supreme court ruled that the state's prison journalists are fully protected by the First Amendment except when those rights pose a threat to the institutions' security. The decision prohibited prison authorities from censoring stories because they are controversial or critical of prison policies but allowed the CDC to regulate prison papers in pursuit of "valid penological objectives."

The CDC thereupon drafted guidelines that limit the papers' content to topics relevant to the inmates and that require the publications to be edited "in accord with the highest journalistic standards." Such regulations leave much to the discretion of prison authorities and inmate editors complain that their rights are regularly trampled on. "The administration here believes they can censor anything they seem to find offensive, libelous, embarrassing, and even editorial statements . . . which fail to include their side of the story," writes Elmo Chattman, current editor of the *San Quentin News*.

But when E.Z. Williams challenged CDC guidelines in court in 1983, he lost. "The thrust of the regulations is censorship," maintains his ACLU attorney, William Taylor. "I don't know that officials have any better understanding of proper journalistic standards than Williams does."

Robert Grove, currently the editor of *The Vacaville Star*, which was revived and placed under court supervision as a result of Victor Diaz's lawsuit, says that although none of his articles has been censored, "I write very carefully." If Grove wants to write something about Nicaragua, for example, he takes care to make it "relevant" to inmates' concerns by focusing on the World Court. And when he thinks a topic

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CHRONICLE

ecutive editor Kathleen Condon complained last spring. "What was reported missing, which house was broken into, a description of the suspect — these we haven't been getting." In addition, *Times Record* reporters say they are no longer free to roam the Troy police station unaccompanied and that firefighters, police, and paramedics no longer talk with them.

Police Chief William P. Miller denies ordering his men to remain silent and city manager Buckley said in April that the police had always withheld reports on sensitive investigations. "There's been no change," he said. "We've been doing what we've always done."

But former *Times Record* police reporter Ernie Arico disagrees. Last February, Arico says, he began to notice a declining number of incident reports: "There were some reports missing. Then we started getting phone calls from people saying they were victims of crimes and wanted to know why there was nothing about it in the paper."

In fact, according to *The Times Record*, burglary is a major problem in Troy. The paper reported a 23 percent increase in 1983. (Last year's figures are not yet available.) Along with brief reports on minor burglaries, the paper has run features about how to pre-

vent break-ins, and a series of stories chronicling the police's vain attempts to catch the "Hillside burglar" — a thief who breaks into middle-income homes at night, walks calmly into residents' bedrooms, and, in one instance, gave an awakened child a glass of water before tucking her into bed and going back to work. Such stories, city manager Buckley argues, give Troy a bad name.

In March, *The Times Record* went public and condemned city officials in editorials and a series of columns, written by executive editor Condon, about freedom of information. "Enough. Enough games. Enough censorship of facts," one editorial proclaimed.

As the controversy grew, the paper made crime news more conspicuous than ever. Editors began putting the police blotter on page one under the headline CRIME REPORTS WITHHELD, with a story explaining that police had refused to provide details about the crimes listed. Readers were also urged to call *The Times Record* to report crimes.

Relations between the police and the *Record* hit bottom in May, when officers rented space on an electronic billboard. "The Troy Police Benevolent Association does not support *The Times Record*," was the message flashed to passing motorists.

Only days later, however, the police an-

Courtesy Troy Times Record



City manager John Buckley shows off a rendering of Troy's new downtown.

nounced a face-saving resolution: the department would release all incident reports but said that in certain sensitive cases parts of the reports would be blacked out to avoid endangering a victim or tipping off a suspect.

According to Robert J. Freeman, executive director of New York's Committee on Open Government, who had previously criticized Troy officials for violating the state's freedom of information law, the city's new policy is acceptable. Executive editor Condon says the controversy is resolved but she is not entirely satisfied with the blacked-out reports. "Until now the police have not been obeying the law," she says. "Now they are adhering to the letter if not the spirit of the law."

Tim Spofford

Tim Spofford is a free-lance writer in Albany.

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might be too controversial if tackled head on, he uses an "Aesopian" approach. Thus, a recent article about AIDS at Vacaville was presented as a fictional tale set on Alcatraz, where an inmate who used to kiss birds contracted a case of "chirpies."

Prison officials defend their heavyhanded interpretation of the guidelines, saying that they must exercise control over the publications to prevent them from upsetting the inmates. "There's no full journalistic license here," says Mike Madding, associate warden of the men's correction facility at San Luis Obispo, explaining why the *Communicator* there has been transformed from a newspaper into a "house organ." "They absolutely stay within our limits," he says. "That's reality. Articles could be inflammatory to the population and cause disorders."

But Robert Grove of *The Vacaville Star* argues that common sense — and an instinct for self-preservation — will keep an editor from doing anything to inflame inmates. "Any prison editor who took a blatantly one-sided position would get into a great deal of difficulty with other prisoners," he says, adding, "No one in his right mind would run a racist article, for example."

In the meantime, the question of excessive regulation is overshadowed by the papers'

struggle for survival. Having put out only one issue since E.Z. Williams was transferred in 1983, the *San Quentin News* began publishing again last April after San Francisco assemblyman Art Agnos complained to the CDC. Agnos says that he has also secured a promise from the CDC that other prison publications will be revived.

At Soledad, Williams wants to challenge the closing of the *Star News* but is still waiting for the ACLU to assign an attorney to the case. Both Williams and Victor Diaz claim they have paid a high price for their persistence. "I was found suitable for parole in 1983," says Diaz. "Now I'm looking at 1988. They can stretch things out."

As for Williams, who is serving a life sentence, he writes: "As recently as two and a half years ago I felt I had everything I had dreamed of in my life, except my freedom and the dreams that can only be realized with that freedom. Now, I have nothing. I exist within a box. No one reaches in. When I reach out, no one is there."

Laura Fraser

Laura Fraser is a free-lance writer who lives in San Francisco. This article appeared in a different form in Mediafile, the newspaper of the San Francisco Media Alliance.

Cops spike crime in Troy

Though boosters call it "Albany's Georgetown," Troy, New York, is probably better known as a city of idle mills, empty storefronts, dilapidated housing, and, now, many burglaries. Three miles north of Albany, the state's booming capital, Troy is striving to change its image. Developers have committed \$15 million to rehabilitate century-old storefronts and to convert crumbling warehouses into luxury apartments. They hope that the gentrified look of cobblestone streets and restored shops will lure high-tech industry, retailers, and middle-class residents.

But city officials complain that the local newspaper, the 50,000-circulation *Times Record*, is not playing along. According to city manager John P. Buckley, *The Times Record's* undue emphasis on crime is hampering Troy's recovery. "They don't give a damn whether it hurts or helps us, as long as they get a story out of it," he says.

To keep news of crime out of the paper, the *Times Record* charges, the Buckley administration began withholding police investigatory reports on burglaries, assaults, rapes, and grand larcenies. "We have had only limited access to incident reports," ex-

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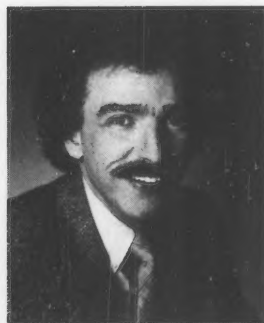
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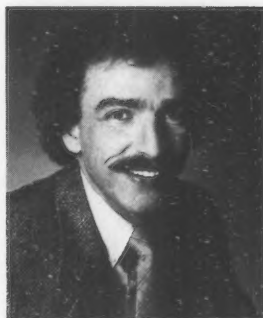
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ON THE JOB

Witness to an execution

by JOHN LANCASTER

My city editor gives me the option of refusing the assignment. Two other reporters have already turned down her invitation to witness the execution, and she tells me she would understand if I felt the same way. But, for reasons I will never be entirely sure of, I say yes.

My newspaper is among six news organizations chosen by lottery to attend the electrocution of John Young, a twenty-eight-year-old man of limited education who has been convicted of beating to death three elderly people in Macon in 1974. He is to be the sixth man to die in Georgia's electric chair since the state resumed executions in 1983.

Young's lawyers have put together a compelling case for a reprieve — according to affidavits filed on his behalf, he had witnessed his mother's murder when he was three years old, and his former attorney had been using drugs while defending Young during his trial. But as the execution hour draws near, the odds are still against him.

Young is to die at 12:15 A.M. on Wednesday, March 20. All day Tuesday I follow the succession of last-minute appeals and wonder whether I have made the right decision. Finally, at 7:30 P.M., the wires report that the U.S. Supreme Court has voted against hearing his appeal. The execution is on. That evening I eat dinner with several colleagues at the local reporters' bar and somebody makes a bad joke about eating fried food before watching an electrocution. I ask one of my friends whether she would go if asked. "Yes," she replies. "But I'd question my motives."

John Lancaster is a reporter for The Atlanta Journal and Constitution.

I have rehearsed the pat argument to justify my decision — reporters are, after all, professional witnesses, and this is just one more of society's rituals to be observed and chronicled. But her words trouble me as I drive down the highway. Am I just a voyeur? I begin to worry about how I will react to watching a man die, something I have never seen before.

Officially known as the Georgia Diagnostic and Classification Center, the state prison that houses death-row inmates and the electric chair is just off Interstate 75 near the central Georgia town of Jackson, some fifty miles south of Atlanta. Tonight it is easy to find in the dark: perhaps two dozen state troopers mill outside the guardhouse at the main entrance, warming themselves before a propane heater.

Several approach my car. They ask for my press card and check the interior with flashlights. One of them asks if I happen to have brought a paper from Atlanta (I haven't), then issues me a yellow placard for the dashboard of my car and a yellow armband that I am to wear at all times while on the prison grounds. He waves me through the gate and into a brightly lit grassy compound where a half-dozen other press vehicles are already corralled.

This is the official press area, where most of the reporters will wait out the execution. Prison authorities seem to have thought of everything: telephone jacks have even been installed on fenceposts so the reporters can file their stories as soon as a spokesman emerges with the official word. Several are already chatting with their desks, standing surreally in the long grass with their phones balanced on car tops. It is 9:30 P.M., an hour from the time the van is scheduled to pick up the six press witnesses.

In what has become a well-choreographed routine, a prison spokesman arrives to brief us on the condemned man's

last day, and we dutifully record the details. He watched television last night; he chatted with one of his sisters on the phone for fifteen minutes; the chaplain said he seemed "resolved" to the situation; no, he didn't request a last meal, hasn't eaten a thing all day.

Looking for an angle that might distinguish this execution from previous ones, we press the spokesman for an opinion on whether the novelty is wearing off. He confirms that the media crowd is smaller and that authorities expect fewer demonstrators, both in favor of and opposed to the death penalty. We pocket our notebooks and drift away. Eventually one of Young's attorneys shows up and makes a brief statement.

At precisely 10:30 a prison van with barred windows pulls up. "You gotta leave your pad in your car," a young UPI reporter tells me. One of the prison guards in the van explains that we are to bring nothing except our press cards: no keys, no pens, no change. We are one witness short — a TV reporter from Macon hasn't showed up — but we leave anyway.

The van deposits us at the main administration building, where we are escorted down a long green hallway, through a metal detector, and into a waiting area with vending machines, tables, and plastic chairs. Another guard distributes legal pads, pencils, and a form to read and sign. The sheet of paper spells out rules ("there will be no conversation with any staff member or inmate") and describes the sequence of the electrocution ("condemned will be strapped in chair, condemned will be asked for a final statement"). The guard invites us to help ourselves to the instant coffee and hot water, then leaves us alone. An hour and a half to go.

With nothing to read, we introduce ourselves and make small talk. This will



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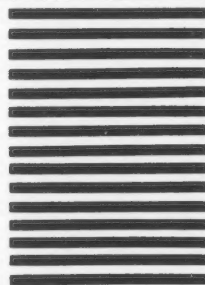
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be the third execution for the UPI reporter, the second for the AP man. The UPI reporter describes a previous execution in which the first jolt wasn't enough to kill the condemned man; after doctors discovered he was still breathing, a second surge of electricity was administered some six minutes later.

"That was nasty," he says. "But when he gets up out of the chair afterward, that's when you've got a real story." The harness that fits over the convict's head, he tells us, looks "like a bicycle cap."

Some of us want to know how the wire-service men reacted their first time. The man from UPI insists it didn't bother him a bit. "I had to revive the AP guy," he wisecracks. The AP reporter, an older man, says he didn't sleep for a week afterward. Later, he jokes that executions are scheduled for the middle of the night because Georgia Power's rates are cheapest then. The missing TV reporter from Macon shows up with a guard.

Just before midnight another guard, with a bristle haircut and a cigar in his mouth, invites us to follow him. Clutching our government-issue notepads, we march down the long green corridor and again pile into a van. "I'm getting butterflies," the AP man confesses. But, he says, "once I get inside and sit down to do my job, I'm okay."

We synchronize our watches so we will all report the same chronology of events. "Drives the desk crazy when everyone reports different times," one of the wire-service men says. A radio reporter from Atlanta wonders how Young must feel "knowing he only has fifteen minutes left to live."

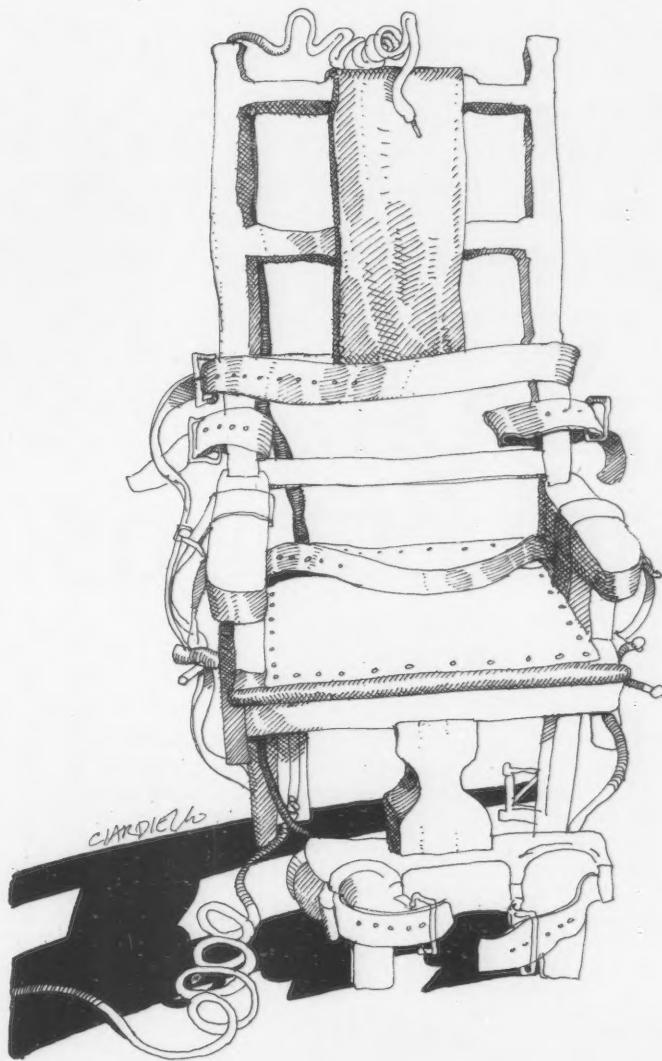
Building H-5 — the "death house" — is a low cinderblock structure. A gasoline-powered generator on a trailer, the kind you see parked at construction sites, is already running. It will power the electric chair. Someone opens a bright red door and we file into the witness room. Inside, I am struck by the banality of the scene as I jot down the physical details: beige linoleum tiles, bright fluorescent lights, and, visible through a large window, the varnished wooden chair on a raised platform. Three wooden benches for the witnesses are lined up like church pews, and we take the second row. Per-

haps a dozen guards and prison officials lean against the walls with their arms folded. Nobody says a word.

Young is calm and expressionless when they bring him in, a strong-looking man with a mustache, shaved head, and a white prison uniform trimmed in blue. The preparations have a ritualistic quality. First the prison warden steps to a microphone and says in a flat voice: "With all the witnesses present, we'll proceed with the court-ordered execution of John Young." Four guards cinch leather straps across his waist and thighs and strap his wrists and ankles to the

chair. One of the guards speaks to him — the words are inaudible to us — and Young obligingly tilts his head back so that the leather harness can be fastened over his head. Someone plugs a gray power cable into an electrode pressed against his calf.

The warden detaches the microphone from its stand and holds it to Young's lips for a final statement. Young seems to meet every gaze in the room as he looks at us through half-closed eyes. His statement is long and rambling and we strain to catch fragments over the intercom. "Ya'll cry that America was built



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ON THE JOB

on Christianity," he says in his most memorable line (it will make the Week in Review section of the Sunday *New York Times*). "I say it was built on slavery."

The warden reads the court order. Then the guards cover Young's face with a piece of brown cloth and leave the room. For a truly awful moment — perhaps four seconds — Young is completely alone. Only then, when the witness room is silent except for the scratch of our pencils and the hum of the generator outside, does he show any sign of fear: his left hand trembles. There is a distinct click when the switch is thrown.

No grotesque paroxysms, no shooting sparks, no wisps of smoke: viewed through glass, the execution, when it finally happens, appears so antiseptic as to be almost unreal. Young's hands ball into tight fists and his body goes rigid. Most of us stop writing — except for the AP man, who is already composing his lead on his notepad. I notice that one of the state's witnesses, sitting on the bench in front of me, is chewing furiously on a piece of gum. Two minutes later the current is turned off and Young's body seems to sag slightly against its straps.

After six silent minutes — the "cool-down" period — two doctors and the warden reenter the chamber. The doctors take turns pressing their stethoscopes to the dead man's chest, then nod to each other. The warden steps to the microphone. "At twelve twenty-six," he intones, "the court-ordered execution of John Young was carried out in accordance with the laws of the state of Georgia."

In the van we agree on the time the voltage was applied — 12:18 — and check the accuracy of our quotes. Someone remarks on Young's last, long gaze at the witnesses before his face was covered — "I felt eye contact" — but we are mostly silent on the ride back to the press area. "All right!" shout a few robed Ku Klux Klansmen standing just outside the prison fence when our van pulls up. Nearby, perhaps forty death-penalty opponents stand in silent protest under the cold, starry sky. I drive back to Atlanta and write my story. ■

COMMENT

Fear and loathing of 'holy shit' journalism

Six years ago, a *Washington Post* editorial advised *The Progressive* magazine, then struggling against the federal government over the right to publish a story about the H-bomb, to abandon its "real First Amendment loser" — a case that might provide the Supreme Court with the opportunity to inflict damage on greater, and presumably more important, press institutions. Fortunately, *The Progressive* ignored the advice and won at least a moral victory.

This year, paradoxically, the *Post* has come perilously close to creating a First Amendment loser of its own because of an opinion handed down by a panel of a federal appeals court (the level below the Supreme Court) that, in the words of Anthony Lewis of *The New York Times*, "turned upside down twenty years of Supreme Court decisions designed to keep libel suits from ending our tradition of 'uninhibited, robust' public controversy." Although the full appeals court vacated this opinion on June 11 pending further argument, the strategy it revealed for taming the press remains an alarming possibility for the future.

The suit that gave rise to the opinion started from a story published almost six years ago. As readers will recall, in 1979 the *Post* printed an article asserting that William Tavoulares, president of the Mobil Oil Corporation, had set up his son in a ship-management business that had done substantial business with Mobil. There was no doubt of the position the son had come to occupy; the question was whether father had "set up" son, and whether this assertion had a defamatory meaning.

The *Post* did not shine at the trial, for testimony revealed shaky documentation and dubious professional conduct (see "What Went Wrong at *The Washington Post*?" *CJR*, January/February 1983). The jury awarded Tavoulares \$2.05 million; however, the federal district judge who presided threw out the verdict because, he said, while the evidence might be embarrassing to the *Post*, it provided no basis for concluding that the *Post* had lied or acted recklessly — the "actual malice" standard in libel suits involving public figures.

Not so the appeals-court panel. Judge George E. MacKinnon, joined by Judge Antonin Scalia, concluded that the jury had evidence aplenty to find actual malice. Some of it was familiar enough in libel cases — the questionable credibility of sources, the probability of harm to William Tavoulares's reputation, the failure to print a reply from the Tavoulareses.

But in a section called "The Defendants' Motivation" the opinion broke new ground. In essence, MacKinnon insisted that not only what journalists said and wrote, but what they were, might be used against them. The jury, said MacKinnon, was entitled to take into account any or all of the following:

- That the chief reporter on the story had "knowingly adopted an adversarial stance toward Tavoulares."
- That the free-lance reporter who helped on the story "was an ambitious young reporter looking for his big break."
- That the *Post*, through its assistant managing editor, Bob Woodward, had "put some pressure on its reporters to come up with 'holy shit' stories." (The opinion emphasizes by repetition the indecorousness of the term.) Although the opinion gave a perfunctory nod to the watchdog function of the press, it concluded that a policy of "sophisticated muckracking" — a term borrowed from a 1967 decision — "certainly is relevant to the inquiry of whether a newspaper's employees acted in reckless disregard of whether a statement is false or not."

Moreover, after asserting that the jury could consider not only the story as printed but raw material not used (in effect, the *Post*'s outtakes), Judge MacKinnon all but reedited the story into a form more favorable to Tavoulares and Mobil. The indignant dissenter, Judge J. Skelly Wright, accused the majority of sitting "as some kind of journalism review seminar" — evidently the worst epithet that came to mind.

Indeed, as Judge Wright argued, the majority position "represents a sharp departure from the principles of free and vigorous discussion that have been the touchstone of First Amendment jurisprudence," as well as from the tradition of "a nation that has nothing to fear from an aroused citizenry."

The opinion also assailed a tradition of energy and enterprise customarily given at least lip service in the American system. Would the judges have dared to say of any other occupation that willingness to ask tough questions or eagerness to land a good job is evidence of willingness to commit a wrong? Or that the urging of a manager to turn out a more attractive product is a sign of recklessness?

The danger in this opinion, of course, was not that the judges were ignorant of investigative journalism, but that they knew what it was, did not care for it, and were looking for ways to circumscribe it. In this search they were nothing if not ingenious.

Further, the judges in the majority — MacKinnon a Nixon appointee, and Scalia a Reagan appointee whom columnist

William Safire has characterized as "the worst enemy of free speech in America today" — appeared to evince the fear and loathing that investigative journalism has aroused in the years since Watergate. As such, their opinion is a dangerous byproduct of a decade and more of criticism that has painted the press as an antagonist of business and hence of the American system, as an advocate of subversive values and causes, and as an institution that uses its freedom to promote selfish ends. It thus represented not only a disturbing departure in libel law but also a ratification of the political agenda that would undermine freedom by setting up the press as a disloyal opposition and a target for chastisement and restriction.

Darts and laurels

Dart: to *The San Diego Union*, for curiously omitting, from a twenty-three-paragraph story announcing the Pulitzer Prizes for 1985, two awards involving other California papers — the *Los Angeles Times*, whose TV columnist Howard Rosenberg was honored for his criticism, and the *Orange County Register*, whose staff was singled out in the category of spot news photography. **Dart:** to the *Los Angeles Times*, for ungraciously waiting until the thirty-seventh paragraph of a thirty-nine-paragraph story to mention *The Register's* prize (for Olympic coverage, a story on which the *Times* itself had pulled out all the stops). For contrast, consider *The Register*, which ungrudgingly reported the prize given to its arch-rival's TV critic in the sixth paragraph on page one, right after its glowing coverage of itself. And a mini-dart to Howard Rosenberg, for losing his California cool and basing two egocentric columns (April 26, May 22) on his own awe-striking win.

Laurel: to *The Miami Herald* and reporter Marc Fisher, for an unrestricted view of the restrictive membership rules effectively in force against blacks, Hispanics, and Jews at many of the private city and country clubs that are so much a part of South Florida's business and social scene. Citing, among other things, the joking references to "niggers" and "kikes" overheard in club dining rooms, Fisher's three-part series (April 7-9) on the mounting pressure for change and the strong resistance against it carried an eye-opening sidebar on numerous "no blacks, no Jews" clubs, listing costs, facilities, membership practices, and the names of prominent members, not excluding several top executives of the *Herald* itself.

Darts: to WXEX-TV, Richmond; WDRB-TV, Louis-

ville; WBFF-TV, Baltimore; WGPR-TV, Detroit; and other stations around the country that served up to viewers a one-minute, forty-one-second "news video" promoting Doritos snack chips. Ostensibly a feature on how music video commercials are made, the segment managed to fold in several shots of the Doritos package as well as a mention of its name. And a special **dart** to Cindy Kuykendall of KXAS-TV, Dallas, who, as narrator, added an ingredient of journalistic authority to the piece of junk news.

Laurel: to the *Bulletin of Atomic Scientists* and free-lance writer Linda Hunt, for a thoroughly documented, thoroughly unsettling April cover story disclosing that, in direct contravention of government policy, U.S. military officials after World War II expunged from the dossiers of many German and Austrian scientists incriminating evidence of ardent Nazi activism — including the commission of such war crimes as participating in medical experiments at Dachau — in order to bring the scientists to America and exploit their expertise.

Dart: to WBZ-TV, Boston, and general manager Thomas Goodgame, for kneeling to pressure from the Catholic Church and excommunicating from its "People Are Talking" program two editors scheduled to be interviewed about their forthcoming book on lesbian nuns.

Dart: to syndicated columnist Robert Gillmore, for writing, and to the *St. Louis Post-Dispatch*, for printing, a grotesque March 21 piece arguing against the "hounding" of Nazi war criminals in general ("The Allies decided, for no good reason, that the Nazis had to pay for their crimes") and against the "misbegotten" attempts of Simon Wiesenthal in particular to bring to justice Auschwitz butcher Josef Mengele ("Both [men] symbolize depravity"). "Like every human being, Mengele has hopes and dreams, desires and aversions, and one human life to live," ran Gillmore's dumbfounding line; Nazi crimes were "political, not personal," after all. Did the Gillmore column meet the *Post-Dispatch's* own requirement that commentary be "interesting, provocative, and responsible?" the paper asked itself in an editorial the following day. "It did not," was its unequivocal answer, and it apologized for the lapse.

Laurel: to *The New Yorker* and writer Daniel Ford for a hair-raising two-part report (April 1, 8) on the command-and-control system on which the U.S. would have to depend in carrying out a retaliatory nuclear strike against the Soviet Union. Demonstrating the system's weaknesses in blackly humorous detail — a general who discovers belatedly that he has to dial "operator" if he wants to get through to the president on his crisis phone; an airborne command post with a crucial transmitting antenna that tends to fall off; an

underground antenna that, on occasion, accidentally shoots into the air like a rocket — Ford notes that these weaknesses reinforce the conviction of U.S. military planners that, when a nuclear war seems imminent, the only sensible move is to fire first. Ford points, alarmingly, to persuasive evidence that Soviet generals see things exactly the same way.

Laurel: to *The Philadelphia Inquirer*, and staff writers Howard Goodman, C. S. Manegold, and Ron Wolf, for a solid reconstruction of the circumstances surrounding the helicopter-bombing by police of the compound occupied by the radical group MOVE and the ensuing inferno that left sixty-one destroyed or gutted homes and 250 displaced people in its asphalt-melting wake. Pieced together from magnified photographs taken by the *Inquirer* ninety minutes before the blast and from a microscopic, frame-by-frame study of uncut videotapes of the explosion recorded by WCAU-TV, the paper's May 26 analysis established, significantly, that, whatever the accusations and denials, assertions and counterassertions of officials, residents, firefighters, and police, the MOVE roof just before the

bombing — and at the time that a police helicopter had scouted the scene — was littered with lumber, flammable debris, and at least three cans of kerosene or gasoline; that, despite the precautionary spraying of 640,000 gallons of water, the roof, at the time of detonation, was, in fact, dry; and that the initial explosion produced a fireball whose tongues of flame ignited a surprising second blast.

Dart: to *The Milwaukee Journal*, for an April 28 feature on the oversupply of dentists that filled most of the front-page news cavity of the Sunday business section, aided by a nine-by-thirteen-inch four-color wide-angle close-up of a looming dentist in a blue smock clutching a pair of oversized forceps that held a just-extracted molar. As the *Journal's* ombudsman wrote in a May 5 response to the yelps of dentists quoted in the piece — several of whom were assumed by readers, including other dentists, to have posed for the shot — the photo was flawed both by its ill-conceived theme and by its failure to identify the “dentist” as the model that he was.

Laurel: to the *American Journal of Public Health* and writers David Rosner and Gerald Markowitz, for a revealing — and relevant — clinical examination of the scientific, political, and economic interests operating together in the 1920s to force tetraethyl lead down the throats of the American public despite the well known health hazards of the new gasoline additive. Among those fueling propaganda efforts in the money-making cause: the *AJPH* itself, which in 1925, the authors point out, had confirmed the “complete safety” of the potentially toxic product in an unsigned editorial written by a noted industrial hygienist for the Ohio Department of Health who also, it turned out, was working at the time as a paid consultant to the Ethyl Corporation.

Dart: to the Alliance, Nebraska, *Times-Herald* and its publisher Keith D. Kemper. In his “Kemper's Komment's” columns of Thursday, April 4, and Friday, April 5, the publisher twice alerted readers to an upcoming ad containing an excerpt from a book by a well-known Nebraska cattleman and “likeable businessman” who had twice been convicted of defrauding retailers by adulterating, misbranding, and mislabeling meat; the excerpt, Kemper wrote, would make for a “talkative [Saturday] issue” and would include, he doubly stressed, a handy coupon enabling readers to order advance copies of the book. On Saturday, April 6, the excerpt, in the typeface and format of the paper's own news columns, indeed appeared: 6,000 words of virulent, hate-filled ravings against the source of all the cattleman's troubles, not to mention most of the troubles of the rest of the world, present and past: namely — what else? — a conspiracy of Zionist Jews. ■



Dart: to *Newsweek* and Sygma photographer Regis Bossu, for embellishing for the cover of the magazine's U.S. edition (April 29) a shot of three SS graves at Bitburg by planting two crossed West German flags at the marker of one of the graves. The symbolic message of national tribute was not appreciated by Bitburg's mayor, who unwittingly had supplied the flags at the photographer's request. (A similar shot without adornment was deemed sufficiently powerful to run on the cover of the magazine's international edition.)

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Clifford Anderson
Hanford Sentinel
Hal Clement
KFMB-TV, San Diego
Joelle Cohen
Los Angeles Herald Examiner
Selwyn Eiber
Pasadena Star News
Elizabeth Fernandez
Sacramento Bee
Jim Foy
KNBC-TV, Los Angeles
Doris A. Meek
KPBS-FM, San Diego
George Newcom
KQMS Radio, Redding
Diane Richards (2)
Woodland Daily Democrat
Ari Soglin
The Cambrian
Bob Sylva
Sacramento Bee
Ian Thompson
The Daily Republic (Fairfield)
Karen Welk
Hayward Daily Review
Signe Wilkinson
San Jose Mercury News
Patricia Yarborough
Claremont Courier

E D I T O R I A L

Hanford Sentinel
KCOY-TV, Santa Maria
KERO-TV, Bakersfield
KFSN-TV, Fresno
KLOA Radio, Ridgecrest
KNX Newsradio, Los Angeles (3)
KTXL-TV, Sacramento
Los Angeles Times
Paradise Post
Pleasanton Valley Times
Vallejo Times-Herald
Ycaipa & Calimesa News-Mirror

J U D G E S

Dirk Broersma
The Daily Breeze, Torrance
Laura Christman
Redding Record Searchlight
Robert Egelko
Associated Press, San Francisco
Robert Fairbanks
California Journal
Jim Foy
KNBC-TV, Burbank
Mark Gibson
KGO-TV, San Francisco
Jacalyn Golston
Fresno Bee
Olivia Goodson
KABL Radio, San Francisco
Martin Kasindorf
Newsweek Magazine
William H. Lee
Sacramento Observer
Dawn Livingston
KLON-FM, Long Beach
Jack McCurdy
Freelance Education Writer
Michael Scott-Blair
San Diego Union
Danae Seeman
Eureka Times Standard
George Steiner
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A developer remodels *U.S. News*

Or, the high-rise ambitions of Mort Zuckerman

by TOM McNICHOL and MARGARET CARLSON

Mortimer B. Zuckerman, the new owner of *U.S. News & World Report*, strides regally into the Departmental Auditorium building on Constitution Avenue, just across from the Smithsonian, where he is having his official Washington coming out. The occasion is ostensibly a farewell to Marvin L. Stone, who has been editor-in-chief for the last nine of his twenty-seven years with the no-nonsense newsweekly of middle America. But the night of April 1, 1985, clearly belongs to Zuckerman, whose latest purchase, much more than his earlier acquisition of *The Atlantic*, has made him a star in Washington's firmament.

Flashbulbs are popping in Zuckerman's face as he makes a quick circuit of the room, which is filled with poli-celebs like Jeane Kirkpatrick and a number of people who have been summoned over the past months either just to talk about the magazine or to audition for a place at the top of its masthead, including James D. Squires, editor of the *Chicago Tribune*, and Bill Kovach, Washington editor of *The New York Times*. The newsman who only recently got the nod, Shelby Coffey III of *The Washington Post*, looks as if he would rather be facing root-canal work than answering press questions being thrown his way. Some of the questions come from a *Post* reporter who, not too long ago, would have been sent to this assignment by Coffey himself.

Gloria Steinem, squinting and looking slightly dazed, is also there. Zuckerman's senior in both publishing and age (she is fifty-one, he forty-seven), and taller, Steinem could steal some of the spotlight this night, but obviously prefers to keep a low profile. Whether out of deference or because she is not wearing her glasses, she trails behind Zuckerman all evening, holding on as if he were some kind of seeing-eye dog.

The speeches are mercifully short. A videotaped message from Ronald Reagan extols Stone for his "straightforward, issues-oriented approach" to the news. Jeane Kirkpatrick and CBS correspondent Robert Pierpoint make a few in-

Tom McNichol is a staff writer for The Washington Weekly; Margaret Carlson is Washington bureau chief for Esquire.

nocuous remarks. Zuckerman says some nice things about the departing Stone. Everyone thanks everyone else.

Zuckerman's route to his present eminence as a publisher has been a curious one. The son of a Montreal tobacco and candy merchant, he attended McGill University, the University of Pennsylvania's Wharton School of Business, and Harvard Law School, after which he quickly made a name for himself as a real-estate mogul. Along the way, he also made his share of enemies. He ruffled a lot of feathers on Boston's State Street when, after leaving his first employer — Cabot Cabot & Forbes, a prestigious Boston real estate development firm — to start his own real estate development

Ins and out: Zuckerman (left), friend Gloria Steinem, and departing editor Marvin Stone at a farewell bash



Courtesy U.S. News & World Report



Zuckerman acquired valuable real estate properties when he bought The Atlantic, housed in the building shown above, and U.S. News, whose new headquarters are shown to the right.



Courtesy Boston Properties and U.S. News

firm in 1970, he quickly turned around and sued the company over their shared interest in a building. Later, when Zuckerman first branched out from real estate into magazine publishing, he sacked *The Atlantic's* editor, Robert Manning. Manning once called him "a liar and a cheat," and he and a group of *Atlantic* shareholders are still involved in a suit against him.

Zuckerman is a bachelor whose friends include Martin Peretz, president and editor-in-chief of *The New Republic*; Fred Drasner, a Washington lawyer who is now president of *U.S. News*; and Gloria Steinem. People who have known him over the years say he leads a peripatetic life — *Washington Post* reporter James Conaway, who followed him around for several days, wrote that "he apparently never sleeps in a city where he has played squash the same day." One acquaintance told Conaway that the only way to stay in touch with Zuckerman, who owns homes in Boston, New York, Easthampton, and Georgetown, was to stay close to your own phone.

Establishing himself as a publisher in Washington proved to be a costly business for Zuckerman. Last October, he outbid several publishing heavies by agreeing to fork over \$163 million to buy *U.S. News*. That's an impressive piece of change even for Zuckerman, the proud owner of *The Atlantic* and of fifty-three buildings scattered across the country. Zuckerman made his first million before he was thirty and is judged today to be one of the 400 richest people in America, worth more than \$200 million. His firm, Boston Properties, has aggressively gobbled up valuable chunks of land in Cambridge, Boston, New York, and Washington. The company specializes in developing office buildings, luxury hotels, industrial parks, town houses, and condominiums. Zuckerman has used his extensive real-estate earnings to fuel his two forays into magazine publishing. Since Boston Properties owns both the building that houses *The Atlantic* and the new headquarters of *U.S. News* on 2400 N Street, Zuckerman essentially pays rent to himself.

The furious bidding for *U.S. News* began once word got out in December 1983 that a "mystery buyer" had made the board of directors an offer. Thereafter, a series of proposals, bids, and counterbids kept a phalanx of lawyers, financiers, and investment bankers scurrying for months. At one time in the spring of 1984, Peretz of *The New Republic*; Allen Neuharth, chairman of Gannett; Malcolm Forbes, the owner of *Forbes*; and the Hearst Corporation, among others, were all jockeying for position. As the price rocketed skyward, and a messy lawsuit by former shareholder-employees of the magazine kicked in, bidders one by one spiked their offers. Finally, the only one left waving a checkbook was Zuckerman, who was already a partner in a project to develop the valuable slice of property sandwiched between Georgetown and downtown Washington on which the brand-new *U.S. News & World Report* building sits.

When asked why he was so interested in buying *U.S. News*, Zuckerman has said that is like "asking someone who likes baseball why he wants to become manager of the Yankees." There is a degree of poetic license in Zuckerman's simile, since the pennant race among the major newsweeklies lacks the drama of its baseball counterpart: for decades *U.S. News & World Report* has consistently run well behind *Time* and *Newsweek* in both ad revenues (*U.S. News's* ad pages slumped from a high of 2,069 in 1979 to 1,758 in 1984) and circulation (4.6 million for *Time*, 3 million for *Newsweek*, and 2.1 million for *U.S. News*). The company's profit margin, when there is one, trails even farther behind those of its competitors. In 1983, *U.S. News* earned only \$1.3 million on revenues of \$144 million, and the year before the magazine posted a net loss of \$2.2 million. What Zuckerman has purchased is closer to the Cleveland Indians of newsweeklies, the magazine that traditionally has spent more time worrying about finishing the season than about coming in first place.

The mixed record of *U.S. News* leaves plenty of room for tinkering with the magazine's formula. In one sense, *U.S. News* is well positioned to find its own place in the national magazine market, touting itself as a "serious" alternative to *Time* and *Newsweek*. Since its founding as a daily national newspaper in 1926 by conservative columnist David Lawrence, *U.S. News* has always downplayed the blow-by-blow retelling of the week's events in favor of an analysis of their impact on readers. The emphasis on "news you can use," recounted in characteristically bland prose, has been a hallmark of the magazine. If *U.S. News* can slice off its share of "serious" news readers from *Time* and *Newsweek*, and then make inroads among the business crowd who now read *Business Week* (circulation 776,000), *Forbes* (725,000), and *Fortune* (710,000), then Zuckerman may have his New York Yankees after all.

One hitch in this master plan is a dilemma that faces most publications trying to reposition themselves — how to attract new readers without alienating the current ones. Up to now the readers of *U.S. News* have been remarkably loyal. Ac-

cording to a 1984 Simmons study, in an average week fewer than half of *U.S. News's* readers even bother to open *Time* or *Newsweek*. As a result, nearly everyone at *U.S. News* — from Zuckerman to president and chief executive officer Fred Drasner, to editor Shelby Coffey — stresses that any changes at the magazine will be evolutionary. Last September, before he put a clamp on public comments about the magazine, Zuckerman told reporters that he wanted *U.S. News* to reflect “a certain sense of commitment to a conservative, with a small ‘c,’ view.” That “c” looks pretty small, however, to conservatives like Howard Phillips, a *Conservative Digest* columnist, who fears that Zuckerman may produce “just what we don’t need — another *New Republic*.” Zuckerman has assembled a team that might make Phillips and Jesse Helms nervous — executive editor Kathy Bushkin, who was Gary Hart’s press secretary; executive vice-president James K. Glassman, formerly publisher of *The New Republic*; and editor Coffey, lately of *The Washington Post*. But whatever Zuckerman’s politics and staff preferences might be, he is above all a pragmatist. *U.S. News's* strong renewal rate alone is an argument against any dramatic swing toward liberalism.

To date, most of the changes have been cosmetic, as was initially the case at *The Atlantic*. For a new publisher about to embark on a major retooling, revamping the magazine’s graphics is a safe first step, a way of putting a bright new bow around the editorial package.

For this task, Zuckerman called in graphics whiz Walter Bernard, whose design credits include *Time*, *The Washington Post*, *The Atlantic*, and *Adweek*. One early change took the form of disappearing cover lines. By January of this year the traditional banner lines hyping secondary features had shrunk to a single corner line, and by February 25, with the cover “The Tax Bite: How Painful,” only a hairline stood between *U.S. News & World Report* and a *Newsweek*-like cover. On March 4, the hairline gave way and the headline “Happiness: How Americans Pursue It” floated across a cover of blue, uninterrupted except for a bluebird and some upturned faces.

While the secondary cover lines have been disappearing, so has *World Report*, the second half of the cumbersome logo. With each passing week, *U.S. News* appeared to get a point larger and *World Report* a point smaller. On November 3, *World Report* was played down as much as possible without its being dropped altogether when a welter of Reagan-Bush campaign buttons above tiny pictures of Mondale and Ferraro flew up to obliterate part of the logo. That week, a quick glance at the magazine poking out of the newsstands revealed something like *U.S. News & Wrld Rt.*

Other consultants were also called in to work on the look of the magazine. Edwin Taylor, a former art director of *The Times* of London and of the *London Sunday Times*, put together a mock-up of a redesigned magazine, including a new inside of the book, but Taylor has since disappeared.

Puffing for *The Atlantic*: At the magazine’s 125th anniversary, in 1982, new owner Zuckerman (center) was joined, from left to right, by David Auchincloss, the magazine’s then president and publisher, Julia Child, Senator Edward Kennedy, Boston Mayor Kevin White, Saul Bellow, and Atlantic editor William Whitworth.



UPI/Bettmann

John Durniak, formerly of *Time*, worked with *Time* photographer Stanley Tretick on revamping the pictures.

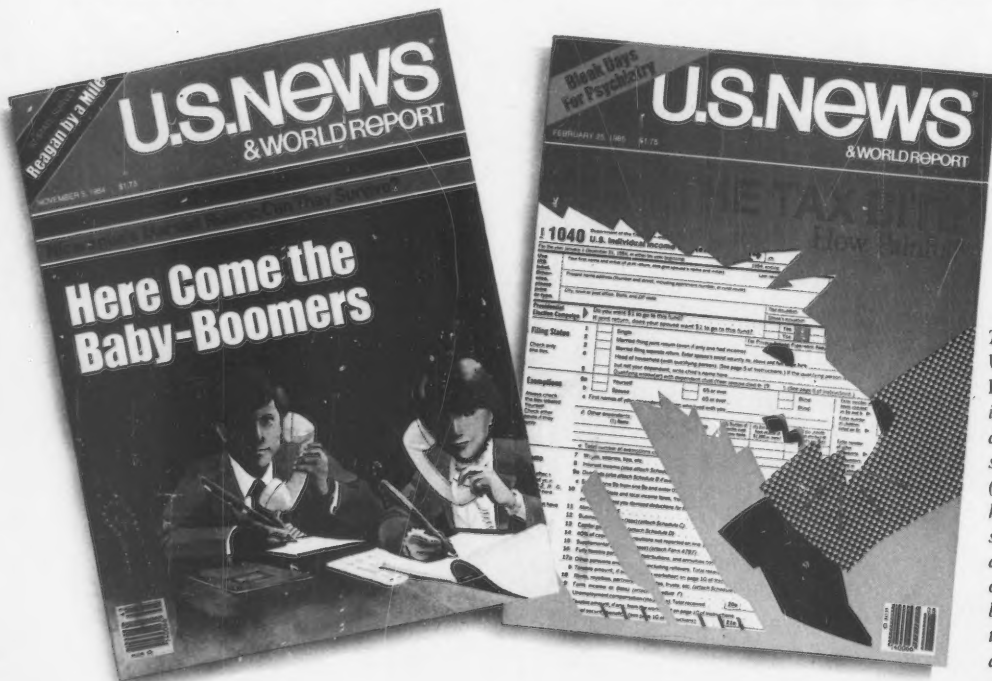
The big changes at *U.S. News*, however, have been in the corporate flow chart, with the earliest move coming last fall when Zuckerman brought in Harold Evans as editorial director. Evans had been the celebrated editor of *The Times* of London who first trusted, then resisted, and was ultimately fired by Rupert Murdoch. Evans received a reported settlement of \$450,000 and then turned the whole episode into a much-talked-about book, *Good Times, Bad Times*. Zuckerman, who once considered Evans for editorship of *The Atlantic*, put him in charge of the Atlantic Monthly Press before bringing him to Washington.

Despite protests to the contrary by both Evans and Zuckerman, smart money was betting that Evans would soon take over Marvin Stone's job. Evans's move to a corner office on the editorial eighth floor seemed to increase the odds. As a *U.S. News* reporter commented later, "It seemed to have significance at the time. Everything seemed to have significance at the time." The comment understates the degree of management-by-rumor that existed at the magazine during what one editor describes as "the most horrible two years you can imagine." The period began around Christmas of 1983 when a memo went up on the bulletin board informing the staff that an offer had been made for the magazine, and it continued until the Coffey appointment was announced on March 18 of this year. Reporters paint a picture of a newsroom where one group worked at holding the magazine together while another continued in the same sleepy style of journalism that has been called a "living death." One member of the first group recalls, "We were like a bunch of battered children, orphans left on our own too long, hoping desperately that a good foster parent would materialize soon."

Many reporters would have been pleased had Evans taken over as editor. But, despite his move to the eighth floor, he did not get involved in day-to-day editorial decisions. At the rare story meeting he would attend, he sat off to the side. Most of his time was spent lunching with reporters and working on his report to Zuckerman on what a new *U.S. News* should be like.

A colleague of Evans's says it was mutual disenchantment, not a prenuptial agreement, that kept Evans a bridesmaid instead of a bride. "What appealed to both about the other at first was what they had in common," this source said. "They are both small, intense, bright outsiders with big ambitions. But Mort soon decided that Harry was more famous than good, and Harry decided Mort was better in less intense circumstances than the start-up of a magazine." Complicating the relationship was Evans's role as the bearer of bad news about Mort's new toy: about the staff (get rid of most of it), the news hole (too small), the design (totally wrong). A realization of how much money all the needed changes would take, combined with the cash-poor situation in which Zuckerman found himself, soured the partnership. The relationship may have reached its low point when Evans drove off in Zuckerman's limousine after one of last January's inaugural parties, leaving his employer stranded in subfreezing weather without a cab in sight.

Evans's low profile notwithstanding, his presence "irritated the hell out of Marvin," according to one reporter. When Stone asked for assurances that he was in charge, the answer was garbled enough to spur Stone, who made more than \$4 million on the sale of the employee-owned magazine, to resign in early January, effective the following April 1. (In May, President Reagan announced his intention to nominate Stone as deputy director of the U.S. Information Agency.) Stone remembers his final days at the magazine



To revamp the stolid *U.S. News & World Report*, Zuckerman called in a flock of design doctors. Lines hyping secondary features (see 1984 issue, left) have given way to a single corner line and the second half of the long logo has been shrunk, making the new *U.S. News* a Newsweek look-alike.

as "very placid, no interference, no strong suggestions." As for changes in the publication, he says there were none on his watch. "They're just starting now."

While few at *U.S. News* wanted to keep publishing a Stone-edited magazine, neither did they want to be forced into a shotgun search for a new editor. According to one source, it was the much-publicized search that confirmed the staff's worst fears that their new owner had no clear plan for the magazine. "He was like a man shopping for clothes without any idea what he wants," this source says. "He tried on everything from a Brooks Brothers suit to a Hawaiian shirt." While there may not be that much of a gap between Zuckerman's serious candidates, no one would argue that Bill Kovach of *The New York Times* would put out a magazine much like the one a publisher could expect from Shelby Coffey. Nor do Ed Kosner, formerly of *Newsweek* and now of *New York*; Martin Nolan of *The Boston Globe*; and James Squires of the *Chicago Tribune* have that much in common. The split between hard- and soft-news candidates, or potential candidates, may bespeak Zuckerman's ambivalence about his long-avowed goal of putting out *The New York Times* of magazines.

The official version of the editorial search has the *Post*'s Coffey as the first, last, and only candidate to have been given a firm offer. Another version says Zuckerman had wanted Coffey from the start but backed off in deference to his friend *Post* executive editor Ben Bradlee, who had Coffey on his short list of candidates to take over his job when he retires. Coffey had just been switched from his post as deputy managing editor for features to assistant managing editor for national news.

A soft-news person who had risen from being editor of the *Post*'s Sunday magazine to being editor of the Style section, Coffey's early days on the national desk suggested he was in for some rough times proving he could play ball with the hard-news guys. A salary probably two and a half times what he was making at the *Post* and a chance to prove he had the right stuff in less hostile surroundings than the *Post* newsroom clinched the deal.

The selection of Coffey has been greeted enthusiastically inside and outside 2400 N St. In his characteristically cautious style, he is moving slowly to change the magazine, working from the outside in. The magazine's Worldgram ("news you can use") department and its newsletter-style reports on various subjects haven't been touched at all. It's in the slightly more feature-oriented coverage of the news that the fine tuning is apparent. In the April 29 issue, two weeks after Coffey took over, *U.S. News* had a go at the issue of skyrocketing salaries for corporate executives, a story which has become an annual favorite with magazine and newspaper editors. The *U.S. News* cover featured a photograph of Twentieth Century Fox's chief executive officer, Barry Diller, as the "star" executive money-earner, surrounded by a supporting cast of six other top CEOs. Inside, color charts and bar graphs were plastered throughout the story in *USA Today* style, along with an unusual pic-



U.S. News's new editor: Shelby Coffey was previously assistant m.e. for national news at The Washington Post.

tograph showing how many pounds of gold can be bought for \$780,769, the median pay for a corporate chairman (162 pounds). That may not be "news you can use," but it's a lively, if slightly self-conscious, way of bringing the news home to readers. At the old *U.S. News*, a simple box and a few turgid paragraphs about the role of the corporate executive would have sufficed.

The Washington Whispers section, long one of the biggest snoozes in the publication, has been spiced up with more gossip, a sign that the new team is sipping Perrier at the right cocktail parties. Editor Coffey, no stranger to dinner-party schmoozing from his days at the *Post*'s Style section, seems a natural choice to guide Whispers into a more lively phase. He also has enough of the star quality to attract name journalists to the magazine. He's brought on Peter Bernstein, Washington editor of *Fortune* and editor of *Arthur Young's Tax Guide*, to give heft to the challenge to *Business Week* and *Money*; he has hired Reagan's former director of communications, David Gergen, as a columnist; and he has taken on as consultants John A. Walsh, who has worked at *Rolling Stone*, *The Washington Post*, and *Inside Sports*, and Jonathan Z. Larsen, who started *New Times* and had a hand in creating the successful *Manhattan Inc.*

Coffey's management style is to talk through ideas and let the cover story evolve — a style very different from that

of his predecessor, who preferred memos and cut-and-dried story meetings. One *U.S. News* consultant says he could always tell there was a meeting going on at the magazine: "First one, then two, and then three clipboards would march past my office. The meetings were made up of pronouncements from the senior editors sitting on a raised platform of what the week's stories would be to the reporters who sat there like barking seals." After going to a few of those meetings, he came to understand "why the magazine looked like it was edited by the Postal Service rather than [just] delivered by it."

By most accounts, Coffey is considered the wild card in the corporate shuffle at *U.S. News*. Few at the magazine doubt his editing abilities; what they do doubt is whether any one person can radically reshape the magazine. Zuckerman's ultimate influence and editorial authority comprise another unknown. A former reporter fears that the qualities prized in real estate deal-making — keeping control, trusting few people, holding the cards close to the vest — are antithetical to running a magazine. Although he seldom drops into the *U.S. News* offices more than once a week, Zuckerman named himself editor-in-chief with the April 29 issue; previously, his title had been simply "chairman." (According to executive editor Kathy Bushkin, Coffey knew about the move before he took the job and still retains "full authority on the editorial side.") The announcement of Zuckerman's leap to the top of the masthead was made by Coffey first to senior editors and then at a general meeting at which Coffey told his troops "not to read anything into it."

Some of the same territorial tiptoeing between owner and editors was in evidence at *The Atlantic* after Zuckerman acquired it in 1980, and that venture has turned out to be a publishing success, or at least as close as one can come without making money. Within three years of Zuckerman's purchase of *The Atlantic*, the magazine's circulation rose

Atlantic has acquired some of the best writing money can buy, including portions of Robert Caro's controversial biography of Lyndon Johnson, of William Least Heat Moon's best seller, *Blue Highways*, and of Gore Vidal's *Lincoln*. But, unlike Zuckerman's real estate firm, *The Atlantic* doesn't seem to have had as much success in developing properties as in acquiring them. Too few pieces directly commissioned by Whitworth and his colleagues have attracted as much attention as the book excerpts or articles the magazine has purchased in the open market.

Zuckerman told the Magazine Publishers Association back in the fall that he intended to "play a much more active role" at *U.S. News* than he has played at *The Atlantic*. But while, at *The Atlantic*, Zuckerman could acquire topflight stories like blue-chip real estate properties, at *U.S. News* the weekly deadlines and small news hole don't leave much time or room for the big hits.

Zuckerman's strength, according to former *Atlantic* president David Auchincloss, lies in finding the right people to do the job. At *The Atlantic*, that meant wooing Whitworth from *The New Yorker* and substantially building up the advertising and promotional staffs. At *U.S. News*, Zuckerman's new staff additions on the business side include high-level people from *Newsweek* and *Business Week*. That he raided those two magazines in particular is significant in the light of the emerging editorial consensus that *U.S. News* should move toward becoming a hybrid of the two, a "bridge" between a news magazine and a business magazine. *U.S. News* will retain its all-news flavor, but by the end of 1985 the magazine plans to have doubled or tripled its present business coverage, with continued emphasis on service features (tax tips, travel planning). The pitch is clearly aimed at the group most magazines seem to be after these days — the twenty-five- to forty-nine-year-old upscale achievers. The "new" *U.S. News* could be sold to members of this group as the perfect complement to their upwardly mobile sensibilities — providing just enough national and international news to get by with at parties, and just enough personal finance tips to enable them to move to a better neighborhood and get invited to better parties.

There's no doubt that Zuckerman himself has moved to progressively better neighborhoods. He has also moved to a better profession, if you believe observers who say Zuckerman's move into publishing was a way of buying respectability that millions in real estate could not provide. He now elects to describe himself in his *Who's Who* entry as a publisher rather than as a real estate developer.

Zuckerman will need to be a bit of both if *U.S. News* is to become a consistent money-maker. Unlike a blueprinted construction project, the foundation of *U.S. News* has already been poured and set, and any big changes will mean taking a chisel to what's already there. With the advertising growth of the three newsweeklies lagging well behind the rest of the industry in recent years, Zuckerman will have his hands full trying to add more floors to a building while he tinkers with its foundation. ■



'U.S. News will retain its all-news flavor, but plans to double or triple its business coverage'

35 percent to 440,000. Advertising has quadrupled, newsstand sales have doubled, and the company line is that the once-ailing publication may be in the black by 1987.

But besides a much-needed improvement of the graphics of the magazine, little in the game plan for *The Atlantic* seems directly applicable to *U.S. News*. Under editor William Whitworth, *The Atlantic* quickly made a splash with William Greider's now-legendary interview with David Stockman, in which the president's budget director voiced some embarrassingly candid misgivings about Reaganomics. With Zuckerman bankrolling the editorial effort, *The*

Onward—and upward?— with the Newhouse boys

Sizing up *The New Yorker's* new owners

by MICHAEL HOYT
and MARY ELLEN SCHOONMAKER

The New Yorker exists in a literary environment all its own, a kind of tidal pool where sunlight and temperature are in delicate balance. It's a place far from the rolling seas, where words and paragraphs, thoughts and reflections, are nourished and allowed to grow. From this vantage point, the arrival of the Newhouse publishing empire in February must have seemed like the coming of the shark from *Jaws*.

Newhouse! Few people think of great journalism when the name is spoken. Advance Publications Inc., the Newhouse holding company, has a reputation for glitzy magazines and a whole herd of bland newspapers, cash cows in a pasture, dutifully generating revenue for the next acquisition. A.J. Liebling called the chain's founder, S.I. Newhouse, a "journalist chiffonier," a ragpicker, but by this spring S.I.'s sons were closing in on the fanciest silk stocking of them all. *New Yorker* editor William Shawn called a staff meeting to discuss the impending purchase, at which, the story goes, he wept.

In *The Press*, a collection of his *New Yorker* essays, Liebling described Newhouse as a man with "no political ideas; just economic convictions," an archetype of a new

kind of publisher who didn't care what got printed in his newspapers as long as they turned a profit. *More* magazine buttressed Liebling's critique in 1974, when it put three of Newhouse's top newspapers on its list of the nation's ten worst.

Richard H. Meeker's 1983 biography, *Newspaperman: S.I. Newhouse and the Business of News*, advanced this line of thought. The book spent 257 pages building a case that Newhouse "began his life in newspapers with one goal—to accumulate capital. . . . And unaffected by the romance of journalism or by its element of public service, he lacked the incentive that made other major publishers—like the Sulzbergers and the Grahams—strive for greatness in their news and editorial columns, as well as in their quarterly financial statements."

S.I. Newhouse died in 1979, leaving the news business to sons Donald and Samuel, Jr. (known as Si), who administer it through a host of uncles, cousins, and other in-house Newhouses. While under the new regime much of the company's money and energy has gone into magazines and book publishing, the sons seem to have kept the father's guiding philosophy. Si Newhouse capsulized it in an inter-

Michael Hoyt and Mary Ellen Schoonmaker are both former reporters who worked at *The Record* in Bergen County, New Jersey. They are now free-lance writers and live in Brooklyn.



Anthony Edgeworth

'My brother and I have neither the inclination nor opportunity to get involved editorially in any of our publications'

Samuel Newhouse, Jr.

S. I. Newhouse
flanked by sons
Samuel, Jr. (left)
and Donald

view with *The New York Times* last May: "My brother and I have neither the inclination nor opportunity to get involved editorially in any of our publications. We learned from our father to provide sound management and build financially sound companies, and that keeps us fully occupied."

Journalists tend to applaud owners who pledge not to mess with the copy. But publishers don't need to set foot in the newsroom to determine the quality of the coverage. Their priorities can't help but shape the journalism, for better or for worse, and if journalistic excellence is not a corporate priority it gets dealt out at random, like good hands in poker. In the Knight-Ridder chain, which has a reputation for excellence, publishers answer to one senior vice-president about the business side of their newspaper and to another, a former *Miami Herald* editor, about journalism — about long-range planning, budgeting, and quality. Knight-Ridder has a support system. At Newhouse publications, by contrast, the cousins or uncles check in regularly, but they come to see the numbers, not the words.

Like their father, the Newhouses are leery of interviews and typically declined to be interviewed for this article. But we can learn something about what kind of publishers they are, and what can be expected of them as they put their own stamp on the empire their father passed on to them, by looking at some of their more important properties — some of the newspapers from which the company derives most of its profits, and at a recent Newhouse creation, or re-creation, *Vanity Fair*.

The fortune maker . . . and the fortune tenders

S.I. Newhouse grew up in a grinding poverty that instilled in him a ferocious ambition. In the summer of 1908, according to Meeker's book, the fourteen-year-old got a job with a lawyer who, in 1911, happened to take over the *Bayonne Times* in New Jersey when its owner defaulted on a debt. "Sammy," he said to Newhouse a while later, "go downstairs and look after the paper."

By the time of his death, the Newhouse holdings included thirty-one newspapers (down to twenty-six now) with a circulation of some three million. The group remains the largest privately owned U.S. newspaper chain and the third-largest among public and private companies, behind Gannett and Knight-Ridder; its major properties include *The Plain Dealer* in Cleveland, *The Star-Ledger* in Newark, *The Oregonian* in Portland, and *The Times-Picayune/The States-Item* in New Orleans. Newhouse also bought up the Sunday supplement *Parade*, the Condé Nast magazines — *Vogue*, *Mademoiselle*, *Glamour*, *Bride's*, and *House & Garden* — and television, radio, and cable systems. The first public glimpse of this vast private empire came in 1983, when the Internal Revenue Service challenged the Newhouse evaluation of the estate. The family put its taxable value at \$90.9 million, saying the estate owed taxes of \$48.7 million. The IRS rather strenuously disagreed, saying the heirs owed taxes of \$609 million, plus \$305 million more for fraud penalties. The estate, the IRS said, was worth \$1.23 billion. In essence, the IRS contends that the family tried to avoid taxes by putting too much value on preferred stock owned by Newhouse family members, and far too little on ten

shares that S.I. owned when he died. The ten shares carried the right to vote for directors of Advance Publications, and thus controlled the company. While the family placed their worth at less than \$1 million apiece, the IRS valued them at \$42 million each in 1979, the year S.I. died. The case has yet to be settled.

Donald and Si have tended this fortune well. Newspaper analyst John Morton puts the value of the chain at around \$3 billion, and he estimates that in 1984 Advance Publications made some \$180 million in after-tax profits on revenues of around \$2 billion. Last year, in its annual ranking of media companies, *Advertising Age* said the company climbed from seventh place in 1982 to fifth in 1983, behind only American Broadcasting Companies (Capital Cities Communications' new partner), CBS Inc., Time Inc., and RCA. Since their father's death, his sons have jointly run the empire, with Si concentrating on the magazines and Donald on the newspapers. They have sold off the television stations, bought some cable systems, purchased *Gentlemen's Quarterly* and *Gourmet* magazines, started *Vanity Fair*, and developed *Self*, which had been launched just before S. I.'s death. They bought the prestigious book publisher Random House, which includes the imprints Alfred A. Knopf Inc., Times Books, Pantheon Books, Ballantine Books, The Modern Library, and others. Analysts thought that the 1983 IRS case would take the company out of the acquisitions market. But then came the *New Yorker* purchase, \$142 million for the 83 percent of the magazine the company didn't already own. Newhouse pockets are deep indeed.

They got that way through newspaper monopolies. S.I. Sr. was skilled at buying, beating, or otherwise eliminating the competition. The fate of the *Cleveland Press* may show how well the sons learned that lesson.

Playing Monopoly, for keeps

Once dominant, the *Press* had become a struggling afternoon paper in Cleveland by the 1970s, second fiddle to the Newhouse-owned *Plain Dealer*, and in October 1981, E.W. Scripps Co. gave up on it. Scripps sold to a local man, Joseph E. Cole, for a mere \$1 million in cash and a \$7 million promissory note to be paid out of half of future profits. Cole appeared to be making a run at competing with *The Plain Dealer*, adding color and a Sunday edition, buying \$2 million in electronic equipment, and hiring top advertising and production employees.

Then in June 1982 Cole suddenly ceased publication. The deal he had struck later became public in advertiser and employee lawsuits, and was illuminated by Peter Phipps and Dan Cook's detailed stories in the *Akron Beacon Journal*, starting in January 1984. Cole had sold his subscription list to Newhouse the day after the *Press* closed for \$14.5 million, along with a small four-month-old and debt-ridden corporation for which Cole received an \$8 million purchase-option agreement, exercisable at the small corporation's option. Thus, Cole and a partner had in effect got \$22.5 million for closing a paper for which they had paid \$1

million eight months before. (According to other newspaper officials Phipps and Cook interviewed, the subscription list was of dubious value, since the bulk of a dead newspaper's subscribers quickly sign up with the survivor anyway.)

Plain Dealer publisher and editor Thomas Vail says the *Press* was not long for this world anyway, so there would have been no need to push it over the edge. But to some it looked as though Newhouse had paid off Cole to buy itself a monopoly, a violation of federal antitrust laws. That possibility is being explored by federal prosecutors, who have been presenting the case before a special federal grand jury.

However the new monopoly came about in Cleveland, it meant new wealth for *The Plain Dealer* and a journalistic gap in the city. For a long time Newhouse management seemed far more interested in the former. The way Newhouse's *Plain Dealer* behaved after the *Press* shut down differs strikingly from the way Knight-Ridder's *Philadelphia Inquirer* responded when its rival, *The Bulletin*, closed down in January 1982. Within six months of *The Bulletin's* death, the *Inquirer* had hired more than seventy-five reporters and editors, including more than thirty from *The Bulletin*. "We had a plan that looked something like the plan for the Normandy invasion," says executive editor Gene Roberts. "We felt that the death of *The Bulletin* was going to leave a void in the community, and that filling that void was an obligation we had both to the community and to the [Knight-Ridder] stockholders." The *Inquirer* increased city and suburban coverage, added four foreign bureaus for a total of six, doubled the number of national bureaus to eight, started a book section and five special

"Neighbors" sections in the suburbs, and beefed up coverage of the arts, religion, education, and medicine. From about 300 when *The Bulletin* closed, the *Inquirer* staff has grown to more than 400 reporters and editors.

In Cleveland, meanwhile, "they didn't expand at all," says Walt Bogdanich, a former *Plain Dealer* reporter now at *The Wall Street Journal*. "That says all you need to know about Newhouse. I think all *The Plain Dealer* did is raise advertising rates." According to *Cleveland* magazine, advertising rates went up about 33 percent in eighteen months, while *The Plain Dealer* claimed a 23 percent circulation rise. The paper today has just fifteen more reporters and editors than it did three years ago, when the *Press* expired.

The years after the *Press* died were low ones for *The Plain Dealer*. It was attacked by readers, advertisers, *Cleveland* magazine, and even its own reporters. The Cleveland Newspaper Guild led a number of reporters in an informational picket line on October 10, 1982, to protest a story written by an editor in that day's edition that many in the newsroom felt was tantamount to an apology for an earlier investigative piece (a charge Vail denies). Roldo Bartimole, a former *Plain Dealer* reporter who has been taking on the Cleveland establishment for seventeen years with his one-man muckraking journal, *Point of View*, took a look at the newspaper in the summer of 1983. *The Plain Dealer*, he wrote, had "no spark, no drive, no mission." He compared it to a giant whale "beached in shallow water."

Since then, the whale seems to have made its way back out to sea. Vail says that before 1982 the goal of *The Plain Dealer* was to beat its rival. Once the *Press* shut down, he



The Newhouse mix: cash-cow papers, glitzy guides for living the good life — and, yes, *The New Yorker*

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says, "we wanted to look at the product all over again, and do a super-quality job with it." William J. Woestendiek, hired from the Tucson, Arizona, *Daily Star* about the time the *Press* died, became executive editor last year. Woestendiek, in turn, has hired some talented editors and reporters and increased the emphasis on local reporting. *The Plain Dealer* added a second Op-Ed page, which, among other things, features the writing of a local board of contributors — a rotating group of citizens from all walks of Cleveland life.

Even critics like Bogdanich and Bartimole think *The Plain Dealer* is getting better. "In the past four to five months there has been an improvement," Bartimole says. "Some investigative series, some better day-to-day coverage, some new people. It's a noticeable improvement." Says Bogdanich: "They've begun doing good feature work. It's always done more investigative reporting than ninety-eight percent of the newspapers in America. It's a better paper than it's given credit for."

A handful of *Plain Dealers* purchased during April, in fact, had a number of strong articles. Most notable was a week-long series by Gary Webb on the Ohio State Medical Board's failure to curb bad doctors, despite instances of alcoholism, drug addiction, mental illness, repeated malpractice charges, medical-related felony convictions, even an attempt to bribe a board examiner.

"There's no question that Woestendiek is a fine editor," says a top executive at a well-respected major daily. "The only question is whether they will let him go the distance."

The Star-Ledger: ledger, yes; but hardly stellar

If Newhouse newspapers are cash cows, then the prize guernsey is probably *The Star-Ledger*, of Newark, New Jersey. The eighteenth-largest paper in the country, its circulation is close to 435,000 on weekdays and more than 660,000 on Sundays. And it's a bargain: for just fifteen cents, weekday readers get a paper that often runs over 100 pages. Sunday editions, only thirty-five cents, are often more than 200 pages, thick with ads from a state full of shopping malls.

The *Ledger* has come a long way from the day in 1935 when S.I. Newhouse bought it. Financially troubled and little more than a scandal sheet, it ran a poor third in a three-newspaper town where the leader was the *Newark Evening News*, then one of the most respected papers in the country. As usual with his acquisitions, Newhouse did nothing to improve the paper journalistically, and in the 1950s the *Ledger* was still fairly raunchy, regularly running cheesecake photos of women in skimpy bathing suits and feverishly backing the anticommunist campaigns of its hero, Senator Joseph McCarthy.

In the late 1960s, the paper flubbed the two most important Newark stories of the decade, according to David Sachsman and Warren Sloat, authors of an extensive study of New Jersey newspapers. During the blatantly corrupt administration of Mayor Hugh Addonizio, federal authorities contend, the demoralized city was under the influence of organized crime. Addonizio eventually went to jail with other city officials. But *The Star-Ledger* did nothing to

uncover corruption before the mayor was investigated from outside. And during the 1967 riots that devastated the city, the paper relied almost exclusively on police accounts of the events.

Today, *The Star-Ledger* is a much better paper, and is widely respected for its exhaustive state coverage. New Jersey state government, once fettered by a home-rule mentality, has grown more powerful in the last decade, and no other paper covering Trenton has so many reporters — around a dozen — at the statehouse. "People sense that *The Star-Ledger* cares about New Jersey," observes Peter Marks, a former *Ledger* statehouse reporter now with *Newsday*, "that the paper is intimately involved with the state."

But on many complex state issues the *Ledger* is found wanting. "They cover what happened yesterday, in quantity," says Rick Sinding, editor of *New Jersey Reporter*, a public-policy journal. "But there's very little analysis or in-depth reporting on issues."

No one will ever accuse the *Ledger* of being trendy or packaged. There is a certain charm in its aggressive ugliness, its abysmal photography and layout. But the journalism too often matches the appearance. The *Ledger* has too many "easy" stories and too much pedestrian writing. Some stories read like barely rewritten press releases. A Sunday story this spring on the tenth anniversary of the state's Division on Women was obviously based on a single interview with the division's director. No one else, supportive or critical of how the division spends its soon-to-be-doubled half-million-dollar budget, was quoted.

"They wanted us to turn it out," says Peter Marks. "The more you did, the better. You were expected to turn out daily stories and a Sunday piece." Marks says certain star reporters were expected to write lengthy major pieces every Sunday. "I couldn't sustain such a pace. It inevitably leads to hype and inflated stories, to a flabby kind of journalism."

'Journalistic quality in the Newhouse chain seems curiously random'

No one would argue that suburban coverage is not important, but one can argue that a deeply troubled city deserves special attention. *The Star-Ledger* has produced strong series on Newark's problems: one on its underground economy, for example, and another on what happens to all the property foreclosed by the city. It also likes to do positive stories about the city, and recently sent a reporter to China with the Newark Boys Chorus. But by and large the paper's coverage of its home base is meager, apparently intentionally so.

"It's not true that we ignore Newark," says a reporter. "But, on a day-to-day basis, we are set up to ignore it. No one is checking budgets or contracts. No one is covering the city courts." Although the board of education and the housing authority have full-time reporters assigned to them, the paper has just one full-timer covering the mayor's office, the city council, and the police department in a city with a budget of \$335 million.

The bulk of the paper's coverage of Newark is found in a four-page weekly supplement zoned for city readers only. It's largely written by one reporter, an experienced writer with a thorough knowledge of Newark, and an assistant, a former part-time proofreader (who replaced a former clerk-typist). "I know of two experienced reporters who asked for the job," says a staff member. "They were turned down."

Laissez-faire in New Orleans and Portland

Journalistic quality in the Newhouse chain seems curiously random, as can be seen by looking at its newspapers in New Orleans and in Portland side by side. They are roughly the same size — *The Times-Picayune/The States-Item* has a daily circulation of 279,000, and *The Oregonian* weighs in at 309,000. And the two papers also have similar recent histories. Both were merged with sister Newhouse publications. The morning *Times-Picayune* joined the afternoon paper, *The States-Item*, in June 1980. *The Oregonian* swallowed the afternoon *Oregon Journal* two years later.

According to an article in the Portland weekly *Willamette Week*, *Oregonian* publisher Fred A. Stickel told his staff that the decision to kill the *Journal* was not based on economics. "I find it hard to believe this is not an economic decision," an *Oregonian* employee reportedly said at the meeting. "Why do you find it hard to believe?" Stickel responded. "I said it, didn't I?" In the sense that neither paper laid off editorial staff, it was not an economic decision. But both mergers were certainly redeployments with an eye toward increasing circulation in the suburbs. In New Orleans, the two papers were nettled by direct mail advertising. *The Oregonian* had — and still has — a serious problem with the fat, free-distribution shopper *This Week*. So *The Times-Picayune* and *The Oregonian* both created suburban bureaus and directed more energy toward winning readers out there.

To look at the surviving papers today, and to listen to some of their critics, is to conclude that after the mergers *The Times-Picayune* became more than the sum of its parts, while *The Oregonian* did not. New Orleans got lucky.

The Times-Picayune's reputation had been, to use analyst Morton's word, "somnolent." Pick it up today and you might read something as lively and droll as this, from a column about a recent controversy surrounding the Jefferson Parish sheriff: "One of the great conundrums of Jefferson politics is whether the sheriff gets in more trouble when attending to his duties or when neglecting them in favor of hunting trips. Lee himself seems as baffled as everyone else, electing to divide his time pretty equally between the office and the duck blind. . . . It was unfortunate for Lee that the Busby story broke at a time when there was no wildlife to

blast. He clearly would have been better off if he hadn't been around to utter so many fatuities. . . ."

The front page of the same day's paper yielded an explanation of a state budget tangled up in the future of oil prices that was as clear yet detailed as anyone could want, part of a four-part series. The fluff content of local news is minimal. And the paper has taken to running long, analytical takeouts on tough subjects, such as the "quirky" application of capital punishment in Louisiana or the progress of civil rights in New Orleans. On a banner-headline day, when Louisiana Governor Edwin W. Edwards was indicted at the end of February, there were ten sharply focused sidebars inside the paper, in addition to two stories and a Q&A on the front page. The paper exudes a feeling of a staff with energy.

Critics talk of weak points, such as the coverage of business and labor. But "when they turn a team onto a story, they really do a job," says Errol Laborde, associate editor at a New Orleans weekly, *Gambit*, which runs a regular press-watch column. "It's a better paper than its reputation. It has been much improved since the merger."

Like *The Times-Picayune*, *The Oregonian* had a reputation for being fat and lazy. Former *Willamette Week* reporter Anthony J. Bianco, now an associate editor at *Business Week*, remembers the daily devoting little more than a press-release rewrite to the decision of forest-products giant Georgia-Pacific to move its headquarters from Portland to Georgia in 1978. Bianco went on to write a prize-winning four-part series for his weekly about the power struggle that led to the decision, and about the implications for Oregon's economy. He remembers finding little of value in *The Oregonian's* clip file about what was then the largest corporation in the state.

The Oregonian is much better than that these days, but it still draws fire. "If you want the personal opinion of a magazine man, I think they take too low a view of their reader," says David M. Kelly, former managing editor of *Oregon Magazine*. "It's a gray, gray paper. I wish we had a better one."

The Oregonian is not literally gray. It runs good four-color photography in a pleasing layout. And in some ways its critics — Kelly and others — seem too harsh. *The Oregonian* is capable of high journalism. It sent a reporter and a photographer to Ethiopia; traveling with a medical team from the Portland area through a series of relief camps, they produced a special section in mid-April that deftly brought home to its readers the human sorrow of that land. The paper takes on difficult subjects — the progress of school desegregation in Portland, the economic impact of the MX missile on the region, a detailed look at a potential nuclear waste dump. There is a quality Sunday magazine these days; there are three pages of editorials and opinions; writing in the life-style section is consistently bright.

Yet in day-to-day local coverage, the nuts and bolts of city and suburban news, the paper is flat. In a handful of papers from April and May, the writing and reporting seem distinctly uninspired. "You don't get the sense of the sweat

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pouring off their brow," says John A. Armstrong, a former *Oregonian* editor who teaches journalism at the University of Portland. "It's a fatter paper now, but it's diffuse. There's a lot in the suburban sections that's just fat — ethnic restaurants, people overcoming handicaps, that sort of thing — but it's more style than substance. I'm disappointed."

Vanity Fair and the limits of what money can buy

On the magazine side, the Newhouse empire has had a string of clear winners in its Condé Nast publications, all guides for living the good life, and it appears to be here that the younger Newhouses have been the most active since their father's death. From his office in Condé Nast headquarters on Madison Avenue, Si Newhouse has overseen the successful repositioning of several of the magazines in new markets, and the birth of two more. *Self*, a women's health and fitness magazine launched in 1979, has been called one of the shrewdest publishing ventures of that decade. *Self*'s success must have buoyed Si and Donald in their decision to enter the cultural major leagues: to bring back *Vanity Fair*, the legendary Condé Nast magazine published from 1914 to 1936 and considered to have been one of the most memorable and classy magazines in America. Their failure to recreate its spirit is history. But it is instructive to see how they went about it. The Newhouses spent millions of dollars on start-up costs, sending out lengthy questionnaires to an elite group of potential readers about the kinds of articles they wanted to see. They purchased the biggest names in literature, from Nobel Prize winners on down. The choice of an editor was just one more part of the formula, and the first one barely lasted three issues.

New York playwright Ruth Goetz, whose lifetime spans the old and the new *Vanity Fairs*, and who was a friend of original star contributors like Dorothy Parker and Robert Benchley, says she was "flummoxed by the new one's lack of quality." The secret of a magazine's success, she says, is the "blinding light" of the editor's vision, something the old *Vanity Fair* had in Frank Crowninshield, and the new one lacked. "A magazine is a bunch of paper except for its editor," she says.

Today, the magazine has a strong editor, its third, though few would call her vision blinding. Tina Brown has finally given *Vanity Fair* a personality, and it's somewhere between *Tatler*, the London society magazine she used to edit, and *People*. This March the cover featured Mick Jagger's girlfriend, Jerry Hall, wrapped none too tightly in a sheet, with the main story inside an excerpt from her memoirs. Recent issues have carried profiles of "America's sassiest, flashiest corporate wife" and of a decorator "to the Sid Bases, half of Fifth Avenue and most of the Hamptons." We get snapshots of the parties of "power people" like lawyer Roy Cohn, who is, incidentally, a Newhouse family friend. Cohn is pictured with Rupert Murdoch, both looking about as happy as if they were crossing the River Styx. There are nods to art and literature — Alison Lurie writing on Botticelli — and occasional strong profiles, such as a recent one of Martin Peretz of *The New Republic*. And, if nothing else, Brown's changes seem to have made good business sense: for the first quarter of 1985, advertising

revenues and ad pages were up over the same period a year ago. On the whole, however, the magazine has taken on the fawning tone of a social climber, not the fresh, sure voice of a magazine at the top.

The single Newhouse publication with such a voice is the one the group just bought, *The New Yorker*, where writers and editors, when they heard the news, came down with a collective case of the willies. By way of warding off evil spirits, the magazine proclaimed its editorial independence in an April "Notes and Comment" piece shortly before Newhouse officially took over: "We, the editorial people, knew by instinct that to be able to make *The New Yorker* the magazine we wanted it to be we had to separate ourselves from the business side of the venture. . . . In this atmosphere of freedom, we have never published anything in order to sell magazines, to cause a sensation, to be controversial, to be popular or fashionable, to be 'successful.' "

Perhaps the writer was thinking about what a temptation it will be for the new owners to tinker with the magazine's delicate ecology. Both *New Yorker* ad pages and circulation declined somewhat last year, although revenues were up in both cases, and this year advertising was down 207 pages in the first four months. On the other hand, the magazine remains quite profitable, and the Newhouse history is to leave profitable publications alone. Editorial interference has never been the problem.

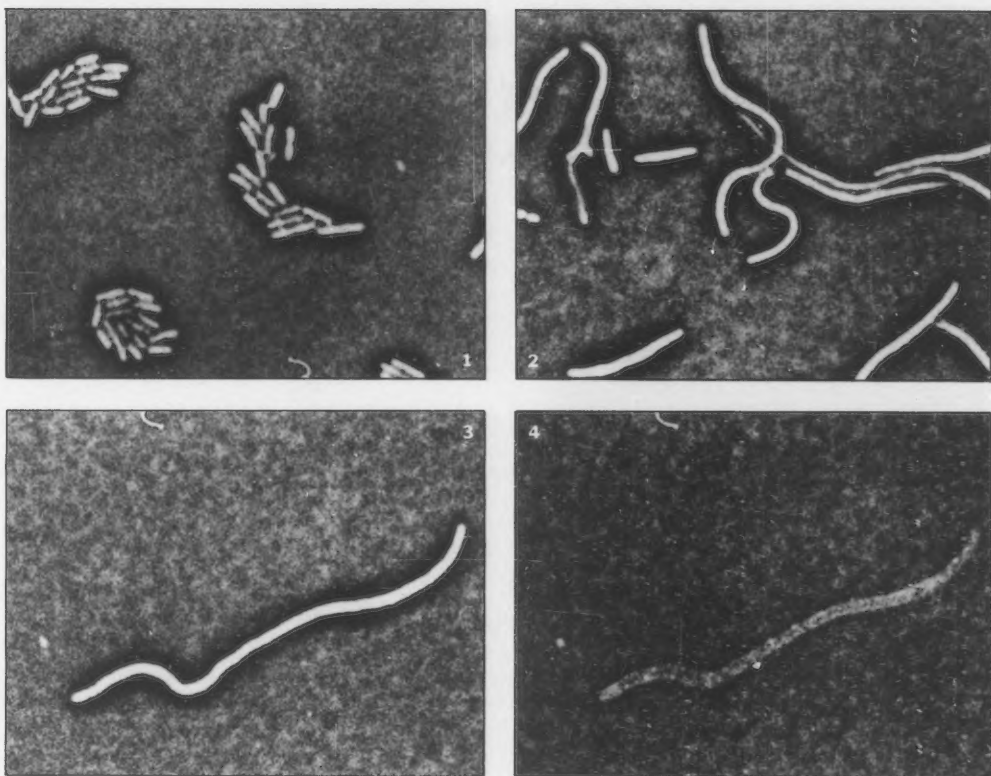


When S.I. Newhouse died, *The New York Times* praised him in an editorial for his practice of allowing each of his publications its own voice. Newhouse called it the principle of editorial autonomy, and his sons have continued this tradition, a laissez-faire management style that lets journalistic excellence alone, when it occurs. The changes at *The Times-Picayune*, for example, came from ideas generated locally, says the paper's editor, Charles A. Ferguson, who adds, "The Newhouses have been supportive of quality here. I think they have been getting a bum rap." But the Newhouse system was just as tolerant in the past, when the paper was a "bloated, sluggish, myopic giant of the Delta morn . . .," as *More* magazine once described it.

Thomas Vail, publisher and editor of *The Plain Dealer* since the Newhouses bought it from his family in 1967, says the sons run the business the same way their father did. The principle of local autonomy, Vail says, extends even to mechanical equipment. If he wants to buy a press, the Newhouses furnish him with all the information on what is available, but leave the choice up to him. He concedes that this way of managing leads to a great deal of unevenness. "You are leaving it up to the local managers," he says, "and what you get depends on the quality of the local managers."

It's a system where excellence may be applauded, but it is not demanded, where no one at the top cares as deeply about the words as they do about the money. Perhaps that is the reason why the third-largest newspaper chain in the U.S. still has no great newspapers. ■

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Helms & Co.: plotting to unseat Dan Rather

Fairness in Media wants CBS — and thinks the \$2 billion needed 'to control that sucker isn't all that much'

by CHARLES BABINGTON

When three members of Fairness in Media piled out of their taxi at the CBS Inc. shareholders meeting in Chicago last April, reporters and photographers swarmed around the two who passed out press releases and criticisms of CBS News. Virtually no one noticed the third man, a short, sixty-four-year-old pipe-smoker who watched the ruckus with a bemused smile. Finally a reporter for *The Washington Times* wandered over and asked his name.

"*Washington Times*? Oh, you're a good man," the pipe-smoker said. "I'm Tom Ellis."

Even with the name, the reporter did not realize he had stumbled across the man who had hatched the idea of asking nearly a million conservatives to buy CBS stock in order to "become Dan Rather's boss." For Thomas F. Ellis has spent his career keeping a low public profile while helping to devise and execute a series of highly audacious political gambits — often with startling success.

As chief strategist for Senator Jesse Helms, Ellis is credited with more than directing the conservative Republican's three successful campaigns in Democratic-dominated North Carolina. Ellis co-founded, and still chairs, the National Congressional Club, which was created to pay off Helms's 1972 campaign debt and is now the nation's second wealthiest political action committee. In 1980 he recruited an obscure political science professor named John East, then helped to shape a campaign around the Panama Canal "giveaway" and U.S. aid to the "Marxist government in Nicaragua" that put East in the U.S. Senate.

Along the way, Ellis has made bitter

enemies. He asked to have his nomination to a federal advisory board withdrawn in 1983 after a bruising Senate hearing, during which Senator Joseph R. Biden, Jr., of Delaware said: "Your past statements, by my definition, make you a racist."

But Ellis, a California native who practices law in Raleigh, is revered by North Carolina conservatives, and has hopes of realizing a right-wing dream: gaining control of a major television network. The campaign that he has launched reflects the deep-smoldering resentment of the media shared by conservatives such as Ellis and his long-time friend, Helms, who once invited a Raleigh newspaper reporter to a political gathering where he announced: "Your newspaper is a suck-egg mule."

When Helms opened the campaign this past January with a letter asking nearly

one million conservatives to end CBS's "liberal bias," Wall Street analysts scoffed and politicians snickered. But the campaign touched off a storm of speculation, both political and financial. CBS stock rose, investor Ivan Boesky bought 2.6 million shares, and broadcast executive Ted Turner made a hostile takeover proposal.

It is uncertain what influence Helms and Ellis might have if CBS Inc. changes hands. Both met recently with Turner, and Ellis has praised Turner for donating prime time on his Atlanta superstation in 1982 for the broadcasting of "KGB: The Lie . . . and the Truth," an anti-Soviet documentary produced by an organization chaired by Helms and Ellis. But Ellis says Fairness in Media will "keep right on" urging conservatives to buy CBS stock even if Turner takes over the network. Friends of Helms and Ellis, mean-

Rather's future bosses? Jesse Helms is, of course, the power behind Fairness in Media; its chief tactician is Helms adviser Thomas F. Ellis (inset).



Raleigh News and Observer

above: Wide World

Charles Babington is a reporter for The News and Observer in Raleigh, North Carolina.

while, are basking in the network's discomfort and mocking recent CBS commercials that tout Dan Rather's objectivity and accuracy.

The network initially acted as though "we were just a bunch of yokels from North Carolina trying to raise money for political purposes," says James P. Cain, twenty-eight, a lawyer and one of three founding members of Fairness in Media. The group, established in January, is part and parcel of Helms's close-knit political organization in Raleigh. The other members are Ellis and R.E. Carter Wrenn, executive director of the National Congressional Club and a key Helms political aide.

Fairness in Media is headquartered in the undistinguished three-story office building in suburban Raleigh that also houses the Congressional Club and other Helms-related groups that raise millions of dollars each year from conservatives. While technically Helms is not a member of FIM, he has signed three mass-mail letters urging conservatives to buy CBS stock and to contribute to FIM.

Cain says, "We're pleased with the response. We have heard from thousands of people across the country who share our concerns and who bought stock in CBS." He adds, however, that rules of the U.S. Securities and Exchange Commission prohibit FIM from announcing specific figures. All donations to FIM, he notes, will be plowed back into the campaign to control CBS stock.

Cain points out that while Helms's supporters have long complained about media bias, "the specific idea of going after a major network was Tom Ellis's."

In a recent interview in Ellis's office, which features small Confederate flags and a large portrait of Robert E. Lee, Ellis said the notion of controlling CBS by having conservatives buy stock is more plausible than most stock analysts think. "I felt it was something that could succeed. I still do," he added. Ellis, who grew up in California and Delaware but has acquired the courtly manners of his adopted South, went on to say that he, Wrenn, and Helms had agreed on the plan last November, a few days after President Reagan's victory and Helms's reelection to the Senate after his bitterly contested race against North Carolina Governor Jim Hunt. The group had been studying CBS stock for some time.

"From a financial, do-able situation, it appeared to be undervalued, as did ABC," Ellis said.

The strategy was simple, Ellis continued, noting that in a recent *Business Week*/Harris poll more than 30 percent of the people questioned believed CBS News had a left-of-center bias. (Ellis did not mention that only 12 percent of those polled thought Helms's plan to take over CBS was a good idea; 62 percent said it was a bad idea.) Assuming that assets are evenly distributed among the people polled, he said, "that thirty percent has a trillion dollars." A fraction of that amount, invested in CBS stock by conservatives willing to vote as a unit, would be enough to govern the network, he pointed out.

"The two billion dollars we're talking about to control that sucker isn't all that much," Ellis said. "The money is there in spades. I think the commitment is there in spades, too, if we could ever get free from the SEC [which regulates proxy solicitation] so we could exploit it."

Ellis and Helms became friends during the 1950 Senate race — one still remembered in North Carolina for its nastiness. Ellis was a campaign researcher and Helms was a strong supporter of the conservative candidate, Willis Smith, a former speaker of the state house of representatives, who narrowly defeated Frank Porter Graham in the Democratic primary. Graham, a liberal and a former president of the University of North Carolina, was the victim of anonymous handbills with doctored photographs that appeared to show his wife dancing with a black man. Other anonymous literature suggested that Graham was a communist sympathizer and erroneously said he had appointed a black youth to West Point.

Smith's campaign press secretary was Hoover Adams, now a newspaper publisher in Dunn, North Carolina, and an FIM supporter. (It was Adams who last February successfully sued CBS for a list of its stockholders on behalf of FIM.)

Helms, Ellis, and Adams disavow any responsibility for the anonymous handbills of 1950. Helms, who was a Raleigh radio commentator at the time (see sidebar), says he had no official role in the campaign. He did, however, lead a cam-

paign rally on Smith's front lawn and was hired as Smith's administrative assistant after the election.

Critics say the 1950 race set the tone for future Helms-Ellis ventures. In 1960, Ellis was an adviser in the unsuccessful gubernatorial campaign of segregationist I. Beverly Lake, Sr. By 1972, Ellis and Helms had switched to the Republican party, and Helms was elected to the Senate with the slogan, "He's one of us" — an unsubtle reference to the Greek heritage of his opponent, Nick Galifianakis.

In 1976, Ellis headed Ronald Reagan's successful North Carolina primary campaign. He circulated pamphlets suggesting that Gerald Ford favored a black running mate. "I get the message out," Ellis explained later, "and I trust the people."

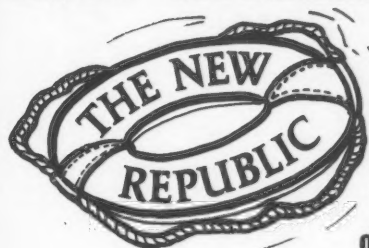
Helms, for his part, trusts Ellis, who has been his closest adviser for more than a decade. "Tom has the unique ability to understand what other people are thinking," Helms once said. Last year, Helms obtained a federal judgeship for Ellis's son-in-law.

Even though Helms had gained statewide renown as a commentator for WRAL-TV in Raleigh in the 1960s, he repeatedly — and effectively — attacked the media in his Senate campaigns. "The media is out for blood, not just in the North Carolina Senate race, but all over the country," he told a gathering of Raleigh businessmen in 1983. Ellis, at the same meeting, said: "For years *The Charlotte Observer* and *The [Raleigh] News and Observer* have carried a drumbeat against Jesse Helms . . . because they're liberals." Television stations, he added, "pick up stories the [Raleigh newspapers] had in the morning . . . and put some visuals on it with Jesse having horns that night."

Helms has particularly harsh words for *The News and Observer*, whose editorial pages reflect a long Democratic tradition. Claude Sitton, the paper's editor and a former national editor of *The New York Times*, won the 1983 Pulitzer Prize for commentary for a series of columns that included one on Helms, East, and the "encore of Dixie demagoguery."

Attacking the Raleigh newspaper has been a Helms campaign tactic for years. In eastern North Carolina's tobacco belt, where the paper is widely read and Helms enjoys wide popularity, the sen-

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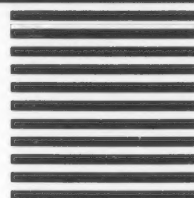
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ator usually identifies any *News and Observer* reporter in the crowd, then vilifies the paper, to the delight of his supporters.

Today, some observers suspect Ellis and Helms of trying to make CBS the convenient enemy, on a national scale, that the Raleigh paper has been locally. "The media become a whipping boy that he can use for raising money," says David E. Price, a Duke University political scientist and a past chairman of the North Carolina Democratic Party. Noting that Helms has a large national constituency and has flirted with running for president, Price adds, "He's always had an enemy. He's always played off people's fears and hatreds."

Since launching the anti-CBS campaign, Helms's comments on the media have become more caustic. Last March, for example, he told a Washington au-

THE CBS EVENING NEWS WITH JESSE HELMS

GOOD EVENING... HERE
ARE TODAY'S TOP
STORIES—



LIBERALS LINKED TO
LUNG CANCER... BOLSHOI
CAUGHT CHEATING...



dience that the nation's major newspapers, newsmagazines, and television news programs "are produced by men and women who, if they do not hate American virtues . . . certainly have a smug contempt for American ideals and principles."

Ellis says such criticism stems from genuine frustration, not campaign strategies. At least half the owners of major news outlets probably are Republicans, he notes, but "the news people have sort

of cowed management [by saying] 'We're independent, we're not going to take orders from the board.'"

For reporters throughout the nation, Ellis explains, "the tone is set by *The New York Times* and the *Los Angeles Times* and probably *The Washington Post*. You have the Hedrick Smiths and Tom Wickers of the world and everybody thinks, 'Boy, we ought to be like them.' " While virtually all the major media are biased against conservatives,

Jesse Helms, journalist

The lights go up. Quiet settles over the studio. Jesse Helms, journalist, begins to address his large television audience: "The United Nations, the National Council of Churches, and other organized 'liberal' groups are weeping about what they regard as mistreatment of Negroes in South Africa. . . ."

The scene is not a fantasy about what might happen if Helms succeeded. Rather, that's exactly what Jesse Helms, television commentator, told his North Carolina audience on February 27, 1967.

Such memories make many North Carolinians either shudder or cheer at the thought of Helms and Co. in charge of CBS. They remember the two decades when Helms was a reporter, broadcaster, and columnist who never hesitated to call the shots exactly as he saw them. They know that his television editorials became legendary for their conservative slant.

That's why many people in Helms's home state, conservative and liberal alike, recognize the hypocrisy at the

heart of his takeover attempt. Helms says he wants fairness: the elite media, he told his fans at a fundraising event in the state capital, "need to try for a change to give both sides of an issue. . . ."

But Helms's record as a journalist, no less than his career as a politician, shows that fair play is not what he's after. Helms really wants *his* side aired, not both sides. Just ask J. Marse Grant, editor emeritus of the newspaper of the Baptist State Convention of North Carolina. Shortly after Helms launched his CBS takeover attempt, Grant recalled what happened when he sent a letter in response to a 1960s Helms editorial on WRAL-TV in Raleigh, North Carolina: "I was naive enough to think my letter would be treated like most letters to the media — aired or printed without comment. Instead, Helms devoted two or three programs to it, even though it was not worth that much attention. The strategy was clear.

"A weak, effeminate voice off-camera quoted from my letter as it appeared on the screen. Then Helms took it apart sentence by sentence, sarcastically ridiculing every point I was trying to make. I was made to look like a fool for daring to question one of his editorials, al-

by KATHERINE FULTON

though viewer response was encouraged. To say the least, the program was stacked against those who disagreed."

Incidents like these prompted complaints, and in 1964 the Federal Communications Commission warned WRAL that it must comply with the fairness doctrine.

Helms's career as a journalist began long before his days at WRAL. As a teenager during the Depression, he wrote about high-school sports for the *Monroe Journal* in the small town where his father was police chief. Before long the paper let him write a column called "The Vagabond Scholar." After he dropped out of college during his third year, he became, in rapid succession, sports writer for the *Raleigh News and Observer*, assistant city editor of *The Raleigh Times*, a specialist first-class in the U.S. Navy during World War II, city editor of *The Raleigh Times*, a reporter for radio station WCBT in Roanoke Rapids, and finally, in 1948, news director of a fledgling Raleigh radio station called WRAL.

Already, he held the deeply religious and traditional views that would mark his career as both journalist and politician; he couldn't remain merely a reporter for long. So in the bitter 1950

Katherine Fulton, a close student, and critic, of Jesse Helms's career, is editor of The North Carolina Independent, a biweekly paper published in Durham.

RESEARCH SHOWS
WOMEN HAPPIER
AT HOME...



SALVADORAN RIGHTIST
PLEADS INNOCENT TO
PARKING TICKET...



AND A SPECIAL REPORT—
WHO PAINTED AMERICA'S
SCHOOLHOUSES RED?



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WASSERMAN

Ellis adds, he is satisfied that CBS is the worst offender.

CBS has responded by giving Ellis a taste of ad hominem politics in a lawsuit filed against FIM in February. The suit notes that Ellis was a director — and that FIM lawyer Harry F. Weyher of New York is president — of the Pioneer Fund Inc., a group that has funded research into whether blacks are genetically inferior to whites. The CBS suit, which claims that FIM's efforts are intended to

promote its political views, also notes Ellis's failure to win Senate confirmation of his nomination to the Board of International Broadcasting in 1983. At Ellis's request, the White House withdrew the nomination after Senator Biden grilled Ellis on a 1955 memo he had co-authored for the North Carolina advisory committee on education.

At the Senate hearing, Ellis said he no longer agreed with the memo, which stated: "The present integration move-

ment in the public schools is but a part of a planned social revolution in the South, fostered, directed, and financed by non-southern whites. . . . The eventual goal of this movement is racial intermarriage and the disappearance of the Negro race by fusing into the white." Ellis told the Senate committee, "I do not believe in my heart that I am a racist," but Biden was not satisfied.

Today, Ellis says CBS's rehashing of the issue is "just pure sleazeball." He says the effort to persuade conservatives to buy CBS stock will continue for at least a year, and he thinks CBS News policies will help the cause.

"There's a new atrocity every night on CBS, whether they're rooting against the contras [in Nicaragua] or wanting to give away the Panama Canal," Ellis says. As for FIM's campaign, "there's no reason it should slow down." ■

U.S. Senate race, Helms sided with the conservative Willis Smith against Frank Porter Graham. After Graham beat Smith in the first Democratic primary, Smith considered dropping out before the run-off. News director Helms wouldn't stand for that. "I went on the radio telling folks that supporters ought to get to [Smith's] house and encourage him to run," Helms recalls. They did, and Smith did, eventually beating Graham in a campaign remembered chiefly for the Smith camp's shameless race-baiting.

Helms then officially left journalism for partisan politics, becoming Smith's administrative assistant. His first stint in Washington, however, was short-lived; Smith died and Helms returned to Raleigh, where he spent the fifties as executive director of the North Carolina Bankers Association and editor of its magazine, *Tar Heel Banker*. In 1957 he was elected to the Raleigh city council.

His big break came in 1960 when his old Raleigh radio boss and mentor, A. J. Fletcher, offered him an executive position with his TV station and the chance to do commentary five nights a week on the six o'clock news. "Mr. Fletcher

didn't want merely a television station," Helms once wrote. "What he really wanted was a voice that would speak loud and strong for free enterprise."

Helms's voice did just that. During the next twelve years it would be broadcast 2,761 times on WRAL-TV and seventy rural radio stations; 200 newspapers regularly reprinted his comments. No "liberal" target was sacred, which meant that Dan Rather's predecessor, Walter Cronkite, was a "hysterical cry-baby"; that the civil rights movement "has had an uncommon number of moral degenerates leading the parade"; and that Social Security is "nothing more than doles and hand-outs."

In 1966, he proclaimed that "You can tell a pseudo-intellectual every time — but you can't tell him much. . . . To him, you're not with it, you don't understand realism, if you are unwilling to measure the quality of entertainment or literature on the yardstick of fornication, incest, and a scattergun of four-letter words." In 1968, he insisted that people participating in protests "are dirty, unshaven, often crude young men, and stringy-haired, awkward young women who cannot attract attention any other way."

Helms seemingly had little interest in

being fair, but his broadcasts were lively and entertaining. His audience, and reputation, grew. It's hard to imagine how he could have had a better platform from which to launch a campaign for the U.S. Senate in 1972.

Today, when his favorite local target, the *Raleigh News and Observer*, or his favorite national target, CBS, refuses to toe his political line, he complains that they are violating standards of objectivity — standards he regularly snubbed during his journalistic career. What's more, he claims that "the real threat to our constitutional system" is not the Soviet Union, but instead "is on our TV screens every evening and on the front pages of our newspapers every day."

What Helms clearly wants is simple, and it's the ultimate fulfillment of A.J. Fletcher's dream — a strong conservative voice, not merely a television network. Whether or not he succeeds, he has already demonstrated just how much he learned during his years as a journalist. When he says and does things that seem outrageous — like trying to take over a television network — he grabs the media's full attention and intensifies the pressure on an already defensive press. He couldn't ask for more if he owned Dan Rather's chair.

Pushing new drugs— can the press kick the habit?

by JIM SIBBISON

In 1982, both print and broadcast media gave prominent play to a story about a new drug that would cure a severely disfiguring skin disease called cystic acne. The drug was marketed under the name of Accutane; its chemical name was isotretinoin. It would be "almost immortal," said a physician quoted in a May 8 dispatch filed by Al Rossiter, Jr., of UPI's Washington bureau, for the government to deny the use of a drug "so effective for a disease that is so crushing." *Newsweek* also plugged the new drug, predicting in a September 13 article that cystic acne "may soon become a plague of the past." The AP carried upbeat stories on three different occasions — before government approval, at the time of government approval, and at the time the drug went on sale.

Almost all drugs pose the potential risk of side effects. Accutane was no exception. Reporters who took note of Accutane's potentially unpleasant side effects cited, as the principal one, chapped lips. There was, however, a far graver danger — one known from the start of the selling campaign by the manufacturer, Hoffmann-LaRoche Inc., of Nutley, New Jersey. This was the possibility of birth defects among children born to mothers who had taken Accutane. Some reporters mentioned this near the end of their stories; others said nothing at all about it.

By the summer of 1983, Accutane was back in the headlines. This time the news was grim. Some mothers on the drug were giving birth to children with gross deformities: blindness, deafness, brain injury, defective hearts, facial disfigurement, abnormally small heads and

ears, cleft palates, and missing internal ears. On March 29, 1984, the Food and Drug Administration took the unprecedented step of warning all blood banks not to accept blood from patients being treated with Accutane. By the fall of 1984, according to an AP dispatch, the number of deformed "Accutane babies" had reached at least twenty-five, while more than seventy-five pregnant women who had taken Accutane had elected to have abortions.

"I really feel the drug has been fantastically overpromoted for the number of patients who should be treated with [Accutane]," Dr. Frank Yoder of Ohio State University told Philip J. Hilts of *The Washington Post*.

What such accounts left unsaid was that the vehicle for much of this fantastic overpromotion was the press. Relying, by and large, on drug-company and FDA evaluations of the product, reporters had played up the drug's benefits and minimized its hazards. By failing to adequately warn girls and women of child-bearing age of the danger, the news media unwittingly shared responsibility for the casualties.

The Accutane case is not unique. Drug companies, sometimes assisted by the FDA, have for years been using the media to plug new prescription drugs. As Michael Waldholz has pointed out in *The Wall Street Journal*, some manufacturers prefer free publicity to paid advertising not only because it's cheaper but also because it more effectively motivates patients to insist that their doctors prescribe the drug for them. The press's vulnerability to drug-company publicity campaigns, apparent in the Accutane reporting, continues to manifest itself even now, when the quality of health news is generally far superior to what it was a decade ago. A look at the sources relied on by reporters in the Accutane case may serve

to point out the nature of the problem.

The AP's Washington bureau attributed its evaluation of Accutane to the Food and Drug Administration. Two AP stories bearing Nutley, New Jersey, datelines were based on statements and press releases from Hoffmann-LaRoche personnel. UPI's Al Rossiter, on the other hand, reporting from Washington, and UPI's health editor, Patricia McCormack, reporting from New York, attributed praise for the drug to physicians who seemed to be independent. McCormack's source was Dr. Alan R. Shalita, whom she identified as assistant dean of the State University of New York's Downstate Medical Center and "an internationally recognized authority on acne." Her account — at least as it appeared in the papers surveyed — failed to mention that Dr. Shalita was a clinical investigator who had conducted Accutane research with Hoffmann-LaRoche financing. (He was, in fact, the moderator of the company's press conference on Accutane.) McCormack's UPI colleague, Rossiter, quoted Dr. James Leyden of the University of Pennsylvania's medical school. Leyden, too, was a clinical investigator of Accutane for Hoffmann-LaRoche. This link, too, was not noted.

Nor, in the stories examined, did either McCormack or Rossiter mention the danger the drug posed to the fetus — a dimension of the story given short shrift by the AP, among other news organizations. A review of the source material most reporters relied on shows why. The FDA press release announcing approval of Accutane does not mention this risk. The Hoffmann-LaRoche press release does refer to it but only briefly, on page three of a four-page release. The risk, meanwhile, was spelled out quite clearly in a document that required a minimum amount of digging to obtain. This was the standard leaflet inserted in each package, called the label — avail-

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able from the FDA, the manufacturer, or the dispensing pharmacist upon request — which warned that animal studies indicated that “teratogenic [causing birth defects] effects may occur.” The label gave the drug a “pregnancy category X” rating, meaning that no girl or woman who is pregnant or might become pregnant should take the drug.

The press had a second chance to cover the hazard angle in September 1982, when the drug was actually placed on pharmacists’ shelves. The September 13 issue of *Newsweek* celebrated this event with an article titled “Now, A Real Cure for Acne.” (The broad claim made in the headline was somewhat misleading; as the lead made clear, the drug was intended for use only by the roughly 350,000 persons suffering from severe acne, not for the millions of adolescents who suffer from much milder forms. Farther down in the piece, *Newsweek* gave this low-key appraisal of the potential hazard: “Since the risk to the fetus remains unclear, [Accutane] is not recommended for pregnant women.”) During that same week, *F-D-C Reports*, a weekly newsletter for the pharmaceutical industry, reported that Hoffmann-LaRoche was “sensitive” to the heavy publicity on Accutane and cited the *Newsweek* piece as an example of how the media might create an “unusual consumer/patient demand” for the drug. The newsletter noted that Hoffmann-LaRoche had sent an urgent letter to doctors. It began by stating, in capital letters: “BECAUSE TERATOGENICITY HAS BEEN OBSERVED IN ANIMALS, PREGNANT PATIENTS OR THOSE WHO INTEND TO BECOME PREGNANT SHOULD NOT RECEIVE ACCUTANE. . . .” Editors of *F-D-C Reports* tell me that their reporter obtained this letter simply by asking the company for it. (All “Dear Doctor” letters from drug companies are in the public domain.) The general press, however, missed this story because it relied on information by press release.

Drug companies are very effective at getting their message across to the public via the media. They stage press conferences. They mail out press kits. They make doctors and company executives available for radio and TV talk shows and for interviews. Even physicians without ties to the industry may express

its viewpoint in talking to reporters.

This industry-physician influence on media content can be shown by looking at the treatment accorded a drug called Chymodiactin (chemical name, chymopapain). In December 1982, a month after the drug had won FDA approval, both Loretta McLaughlin of *The Boston Globe* and Scott Kraft of the AP’s New York bureau produced stories on Chymodiactin, a drug injected into the lower spine to heal slipped spinal discs. Their sources, who had no ties with the manufacturer, were enthusiastic about the new drug; reflecting a view widely held by the medical profession, they expressed impatience with the FDA’s lengthy approval process. McLaughlin had talked to a knowledgeable Boston physician and to W. Scott Smith, chairman of Smith Laboratories of Northbrook, Illinois, the manufacturer of Chymodiactin. Kraft had gone to Canada to write a series on successes doctors there — where its use was allowed earlier than in the U.S. — had achieved. Both McLaughlin and Kraft told how the FDA’s slow approval process had for years prevented its use in this country. Both handled the risks briefly, citing deep in their stories an FDA press release noting that, in past tests, about 1 percent of the patients had suffered severe al-

lergic reactions and that two patients had died. This, the reporters said, quoting the release, was about the same mortality rate as for disc surgery. (At least two newspapers — the *Cleveland Plain Dealer* and the New Orleans *Times-Picayune/The States-Item* — edited this material out of Kraft’s copy.)

Then in April 1983 *The Wall Street Journal* published a long, prominently displayed piece that centered on W. Scott Smith’s long battle to win FDA approval of Chymodiactin, a “seemingly wondrous discovery.” Citing as sources company executives and doctors favoring the drug, the *Journal* reporter wrote, again low in the story, that the deaths of two test patients had “caused worries until a successful pre-treatment drug regimen was developed.”

Jane E. Brody of *The New York Times* took a different — and more prudent — tack. In a well-researched piece, she cited studies showing that in some cases excellent results had been achieved with chymopapain but made clear that the drug wasn’t for everyone. In her Personal Health column of June 29, 1983, she devoted a separate section to risks. The allergic responses, called “anaphylactic shock,” can be “fatal if the proper therapy is not started immediately,” Brody wrote. “One person in a hundred

Will Rogers,
in Steamboat
Round the Bend



Culver Pictures

who undergoes chymopapain therapy is said to risk anaphylaxis," she pointed out, adding that "women are far more prone to it than men." She advised people seeking this therapy to consult a surgeon with "considerable experience with the injection technique" and "a good safety record."

These warnings were well advised. In June of 1984, a year after Brody's column appeared, the manufacturers acknowledged to the media that chymopapain had been associated with five deaths and twenty-eight cases of paralysis and other neurological disorders.

The tendency of many reporters (and editors) to take drug publicity at face value seems to be deeply ingrained — even, or perhaps especially, in Washington, D.C., the single most important source for such news in the country. Most of the relevant information is under one roof at FDA headquarters in Rockville, Maryland, a Washington suburb. The FDA must approve all drugs before production begins.

The Washington correspondents' approach to reporting FDA news of newly approved prescription drugs is simplicity itself: they usually wait for company or FDA press releases to be delivered to their offices, make telephone calls for more information, then write the story. It can all be done without leaving their desks. The procedure was described to me by two reporters who have covered the FDA — Tom Ferraro of UPI and Betty Anne Williams, who covered for the AP and is now with the Rochester, New York, *Democrat and Chronicle*.

The journalists' habit of relying on press releases puts the FDA in the role of largely determining which facts about a given prescription drug will reach the public. Reporters should bear in mind, moreover, that in preparing its releases the FDA frequently consults with the drug manufacturer. As William Grigg, head of the FDA's press office explained it to me, publicity about these products is coordinated with the companies' public relations offices.

One organization that regularly digs up information about the potential hazards of new drugs is the Washington-based Public Citizen's Health Research Group. Sidney Wolfe, a physician, heads the group. It was Wolfe who, in June 1982, broke the story of the link

between an arthritis drug called Oraflex and the deaths of twelve elderly patients in England. His reports — drawn from British medical journals — spoiled what had been an extraordinarily successful media campaign by the manufacturer, Eli Lilly & Company of Indianapolis. Stories by AP, UPI, ABC News, *Time*, and other major media outlets, all pegged to or prompted by a Lilly press conference, had sent Oraflex sales soaring. In August 1982, Lilly took Oraflex off the market; a year and a half later the number of Oraflex-related deaths had reportedly reached forty-three in the United States and ninety-six in the United Kingdom.

Critical evaluations of new drugs can also be found in the FDA's own *Drug Bulletin*, a quarterly newsletter sent to physicians and other health professionals and available to the press, free, on request. An inspection of past issues shows a number of stories about drug-related fatalities that seem to have escaped the press's attention. The April 1984 issue, for example, discusses sulfonamides. Sold under such trade names as Bactrim, Septra, and Pedazole, the drug is given to millions of school children and adults for common infections. "FDA is particularly disturbed by recent [drug-connected] fatalities in otherwise healthy children," the newsletter reported. Five children had died. A check of newspaper indexes indicates that this story was not picked up by the API, UPI, *The Wall Street Journal*, *The Washington Post*, *The New York Times*, the *Los Angeles Times*, or *The Christian Science Monitor*.

While most reporters seem to use prescription drug stories only when they arrive on their desks as handouts bearing the imprimatur of the FDA or a drug company (or, less frequently, of Sidney Wolfe's Health Research Group), there are exceptions to this rule. Morton Mintz of *The Washington Post* has used a wide variety of independent sources while reporting on the hazards of drugs for the *Post* over the course of two decades. Susan M. Mingleborff of the Beaumont, Texas, *Enterprise* recently produced a fine piece of enterprise reporting on the conflict of interest entailed in the FDA's approval process. David Perlman, science editor of the *San Francisco Chron-*

icle, shuns press releases and interviews with company representatives. He talks to scientists in the field and prefers to write about drugs when they are in the research stage; when they reach the market, the newspaper may run "a few paragraphs from the wires — without hoopla." Robert Bazell, science correspondent for NBC News, is similarly wary. He says he tries to avoid using stories about new drugs in order to keep from being caught up in the promotional effort that usually accompanies FDA approval.

Unfortunately, about the only reporters in Washington who routinely write about drugs from primary sources work for trade publications, such as the two main newsletters for the pharmaceutical industry, *F-D-C Reports* and *Washington Drug Letter*. These reporters visit Rockville regularly, cover FDA advisory committee hearings on drugs (or read the transcripts), and talk to FDA and company executives.

Journalists who work for daily newspapers or for a television station or network cannot, of course, be expected to follow the drug story as doggedly as their trade-press counterparts. For all mass media reporters assigned to the agency, the FDA is a part-time job. Even so, Rockville could be mined as a source much more than it presently is by the major media. Far from being a secretive agency, the FDA is, in fact, highly accessible. Requests for data on adverse reactions to new drugs are responded to cheerfully and promptly. "If you go through back issues of our newsletter," Robert Gottlieb, managing editor of *F-D-C Reports*, told me, "you will see that very little of our news comes from leaks. We do what any good reporter does."

William Kronholm of the AP, only recently assigned to the FDA beat, said he agrees that press-release coverage isn't good enough. Kronholm added that he was planning enterprise stories, had already visited Rockville, and had filed a request for information under the Freedom of Information Act.

Such enterprise is admirable — and essential. For until news organizations overcome their addiction to coverage by press release, their stories about new drugs should be read with the same care as the risk warnings on the label of a medicine bottle. ■

Those newsroom ethics codes

by KAREN SCHNEIDER
and MARC GUNTHER

Want to run for public office? March in an antinuke rally? Sign a petition? If you work for the *Los Angeles Times*, and the answer is yes, you'd "be in big trouble," editor William F. Thomas says. Thomas warned against such activism in a code of ethics he wrote for the *Times* in 1982. "It's bad for a *Times* person to be involved on one side of a very emotional issue," he says. "All you've got is your reputation. You're selling your reputation every day."

It's a long way from L.A. to Burlington, Wisconsin, where William E. Brannen, publisher and former editor of the *Burlington Standard Press*, worked last fall for Friends of Reagan-Bush, a national organization of newspaper executives. Brannen calls it a "terrible mistake" when journalists refuse to get involved in their communities. "That's why many large newspapers are going down the drain," he says. "They've lost contact with their readers."

But Brannen would seem to be in a minority. A growing number of newspapers and television stations have recently been promulgating written codes governing newsroom conduct and specifying what reporters and editors (and, in some instances, their spouses) are permitted to do on their own time. In 1974, an Associated Press Managing Editors survey found that fewer than one in ten newspapers had such codes. Nine years later, by contrast, three out of four news organizations replying to a questionnaire by Ohio University journalism professor Ralph Izard said they had written policies governing newsroom standards and practices.

The obvious purpose of such codes is to prevent conflicts of interest. "They serve as a reminder, a constant flag within the newsroom, that ethical conduct is a primary concern here every day," *Chicago Tribune* editor James D.

Squires says. But Squires acknowledges that ethics codes also are good public relations. "The codes are symbols," he says. "They are signals to the public that we are concerned about our own behavior." Managing editor Pete Weitzel of *The Miami Herald*, who recently wrote his paper's first code of ethics, agrees. "Newspapers have a credibility problem," he says. "If people trust and respect your paper, believe in your paper, they are more likely to buy your newspaper."

Writing a code is a fairly simple — and noncontroversial — job when it comes to such questions as whether journalists should accept gifts, favors, free tickets, or travel from news sources. At big papers, at least, most editors and reporters oppose such practices. And few would argue with the lofty sentiments expressed in introductions to the codes. This one from ABC News is typical: employees "must

refrain from doing any act or following any course of conduct which would permit their objectivity in the performance of their duties to be either challenged or impaired."

Disagreement surfaces, however, when the codes reach into areas that some reporters believe are nobody's business but their own. Most codes cover part-time employment, free-lance writing, and participation in political and community affairs, reflecting the belief of many editors that readers view a reporter as an extension of his or her newspaper — even when the reporter is acting as a private citizen.

Observance of ethics codes often requires the sacrifice of some personal freedoms. But Charles W. Bailey, former editor of the *Minneapolis Star and Tribune*, argues that it is quite legitimate for a news organization to require such sacrifices. "Pay no attention," he wrote in a report on ethics codes commissioned by the National News Council, "to those



Karen Schneider is a copy editor and reporter at the *Detroit Free Press*. Marc Gunther is television critic of *The Detroit News*.

who argue that rules restricting political involvement, community activism, or questionable outside employment are somehow a deprivation of individual rights. [Reporters] are not forfeiting

**'When you run for office,
you are choosing
another vocation.
We can't see that you
can be an unbiased
journalist and
also a city councilperson'**

James B. King,
executive editor, *The Seattle Times*

their rights; they are temporarily suspending the exercise of some of them."

That strict view is reflected in many codes. At the *Chicago Tribune*, journalists who run for office risk losing their newsroom assignments. NBC News says it will discipline employees who speak publicly on a controversial issue, while at *The Philadelphia Inquirer* staff members are warned against "wearing an anti-war button at a rally."

Some journalists have strenuously resisted such restrictions, arguing, among other things, that getting involved in their communities rounds them out as journalists. Humor columnist John Hinterberger of *The Seattle Times* decided in 1981 to run for the obscure post of water commissioner, figuring he could perform a little public service and also get some new material for his column. "I believe firmly that journalists should be involved in their communities at all levels except to where that involvement clearly compromises their integrity," Hinterberger says. "I think people should run for the school board, the library board, parks commission. . . . We're better journalists to the extent that we are participating in society."

Besides, the nonpaid, nonpartisan job of water commissioner was unlikely to generate controversy. "All you do is sit and watch the pipes rust," says Hinterberger, a twenty-year veteran at the *Times*.

His editors disagreed. "When you run for office, we feel you are choosing another vocation," says *Times* executive

editor James B. King. "We can't see that you can be an unbiased journalist and also a city councilperson."

It was too late to drop out of the race, so Hinterberger, in one of his columns, begged his readers, "Please don't vote for me!" Fortunately, they obliged. (A year later, Hinterberger was vindicated when an arbitrator ruled that the newspaper's prohibition against running for office violated its contract with The Newspaper Guild.)

Knoxville *News-Sentinel* reporter Jacquelyn McClary also won a grievance against her paper — and won back her job — in 1984 after she was fired for winning election to the Alcoa, Tennessee, school board. McClary, who didn't cover education or the town of Alcoa but who has three children in Alcoa schools, was told by her editor that he wouldn't give permission for her to run for office. "I regarded that statement in the same way as I would regard my father's statement that he couldn't give me permission to marry," she says. "If I wanted to do it, I would."

Television reporters with a yen for public office may run into trouble too, as Bill Branch, a reporter for KOVR-TV in Sacramento, learned when he tried to run for the Loomis village council last year. Branch was halted, not by his bosses, but by a Federal Communications Commission rule that would have required the station to grant equal time to his opponents every time he appeared on the air.

Branch has petitioned the FCC to drop the rule. "Once in a lifetime there comes that one moment when you say my duty as a citizen outweighs my duty as a journalist," he says.

Some news organizations with codes of ethics, it should be noted, are relatively permissive about community and political involvement. Employees at *The Boston Globe* need written permission to run for office but "are generally free to engage in political activities." *The New York Times* says it "wants to leave room for staff members to do creative, community, or personal work and to earn additional income in ways that are separate and distinguishable from their work at the paper."

Newsroom codes are silent on the subject of religion. But Garry Moes, a born-

again Christian now on leave from The Associated Press, for which he covered the Montana state government, was reassigned to a desk job last fall after an interview in which he outlined his religious views was published in a Christian newspaper.

"I don't believe it is appropriate for a reporter to proselytize or serve as a missionary, no matter how admirable the cause," AP executive editor Walter R. Mears said. The AP returned Moes to the capitol beat, however, after he threatened to file a \$1 million lawsuit claiming that his religious freedom had been curbed. (Earlier, Moes had been barred from writing about abortion after his wife and father became identified with anti-abortion activities.)

Moes's case is unusual, but journalists are grappling every day with a more common problem — namely, what kinds of after-hours jobs and assignments reporters can properly take on.

Both ABC News and *The New York Times* bar their editorial employees from accepting paid speaking engagements from groups they cover. But, as George Watson, vice president of ABC News, says, "If you're a correspondent covering the Supreme Court, the speaking invitations tend to come from legal groups. Does that constitute a conflict?"

The Times, for its part, objected when national security correspondent Leslie H. Gelb was listed as a "foreign relations consultant" by Paine Webber Inc. But the paper permits Gelb, who no longer has the title, to be paid for speaking at six to eight meetings a year sponsored by the brokerage firm.

"Reporters ought to be able to speak to whatever groups they choose," Gelb says. "It's up to them and the editors to see that no conflicts are produced in stories." But, he adds, "If you're about to do a series of articles on the aircraft industry, I would hardly accept a fee to go speak to the aircraft association. If you did, you're either a damn fool or worse."

The existence of a conflict of interest is not always as easy to establish as in the case outlined by Gelb. Frank O'Brien, a photographer at *The Boston Globe* and a self-described baseball nut, filed a grievance when the paper told him he couldn't take pictures for the Boston Red Sox, whom he rarely covers. An

arbitrator ruled against him.

O'Brien says he accepts the ruling, but he is puzzled at the vigor with which the *Globe* pursued the case: "They had lawyers crawling all over this building for a week prior to the hearing," he says. "You'd think I was the worst criminal that had come down the pike."

"He would [have been] on the payroll of the Red Sox and we felt there would be an appearance of a conflict of interest," S. J. Micciche, *Globe* associate editor, says. Typically, ethics codes prohibit apparent conflicts as well as direct ones.

Many codes extend their rules to journalists' spouses. Their provisions vary widely. While *The Washington Post* code says that relatives "cannot fairly be subject to *Post* rules," CBS News holds all employees responsible for ensuring that no family members come into conflict with its policy.

At *The Seattle Times*, managing editor Michael R. Fancher was told he would be transferred out of the newsroom if his wife accepted a job as press secretary to the city's mayor. She resigned from the job after one day. On the other hand, John Corry continues to review TV shows — including programs carried on public television — for *The New York Times* while his wife, Sonia Landau, serves as chairman of the Corporation for Public Broadcasting, which funds some public-television programming. And Charles Bailey, as editor of the *Minneapolis Star and Tribune*, told his staff that it was none of his business when his wife made a large contribution to a U.S. Senate candidate.

Neither ABC nor correspondent Bettina Gregory had a problem when her husband, John Flannery, declared his candidacy for a Virginia congressional seat in December 1983. Gregory, who usually covers regulatory agencies, was even assigned for a while to Gary Hart's presidential campaign. "A congressional primary in Virginia is a far cry from covering the national political scene," she says.

When Flannery won the Democratic primary, Gregory says she couldn't help getting involved. She took a leave of absence from Labor Day through mid-November to manage her husband's unsuccessful campaign. Now, she says,

"I've come back to the network, and I don't have any problems."

While many working journalists accept the need for written codes of ethics, their promulgation reflects a double standard, since publishers — and often top editors as well — are free to do as they please. Hundreds of publishers serve on local boards of directors, lead charity drives, and support arts groups. "The pressure is very intense to serve in the community," says Russell G. D'Oench, Jr., editor and co-owner of the Middletown, Connecticut, *Press*, a 21,000-circulation daily.

D'Oench sits on the boards of, among other organizations, a local insurance

**'I'm into so many things
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you don't resign from
the human race when you
join a newspaper'**

Russell G. D'Oench, Jr., editor and co-owner
Middletown, Connecticut, *Press*

company, a hospital, and United Way. He also is chairman of a powerful commission that governs the state's colleges. "I'm into so many things my conflicts are self-cancelling," D'Oench says with a laugh. But he also believes that "you don't resign from the human race when you join a newspaper."

While D'Oench, whose paper has only a sketchy written code, says he hasn't sought the limelight, other news executives have intentionally thrust themselves into controversial stories. The *St. Petersburg Times*, which says it will fire any journalist with a conflict of interest, helped finance a 1978 campaign to keep casino gambling out of Florida. (*Times* chairman Eugene C. Patterson, while continuing to insist that community involvement is a good thing, says that the paper won't contribute money to causes again because of the controversy that was stirred up in the newsroom.)

Many newspapers also have corporate ties. The *Chicago Tribune*, for example, is owned by the same company that owns the Chicago Cubs. And while *Tribune* editor Squires insists that, if anything,

this has worked to the detriment of the ball club — "The Cubs have a hard time getting a fair break in the *Tribune*," he says — this view has not gone unchallenged. The *Los Angeles Times*'s Thomas says of the *Tribune*-Cubs connection, "That's the worst of all. My God, how does anybody believe your sports section?"

Publishers argue that they must get involved in their communities to protect their investment in their newspapers. But reporters and editors have stakes in their communities, too, and should be permitted to exercise their rights as citizens — as long as that doesn't pose a direct conflict. Since publishers are unlikely to submit themselves to codes barring outside business, civic, or political interests, and since a double standard for employees will thus persist, is there any point in having codes at all? The answer is probably a qualified yes.

For no matter what a publisher does outside the office, readers are clearly being shortchanged if, for example, a reporter is on the payroll of a real estate developer whose projects he is covering, as was the case not long ago at *The Jersey Journal* (see "Generation Gap in Jersey City," *CJR*, March/April 1984). Similarly, it is a bad idea for a reporter to cover city hall if his or her spouse is the mayor's press secretary. And news organizations ought to let their staff members know what is acceptable and what is not from the outset — not after a conflict has occurred.

The danger is that news organizations, in their zeal to demonstrate their purity, will reach too far into the personal lives of their employees by regulating outside activities that pose no real conflict. Reshuffling newsroom assignments in the face of a possible conflict might be a fairer solution than prohibiting political or civic activities.

As for the industry's concerns about its image problems, codes of ethics alone will not restore the public's trust. What is required is fair and thorough reporting and vigilant editing — in short, professionalism on the job. Putting out a good newspaper or newscast, of course, is a lot harder than drafting an ethics code. But improving the performance of reporters and editors will pay more dividends than worrying about what they do once they've left the office. ■

BOOKS

The Old Lady of Fleet Street

The History of The Times

Vol. V: Struggles in War and Peace
1939-1966

by Iverach McDonald

Times Books (London), 514 pp. \$25.00

The Story of The Times

by Oliver Woods and James Bishop
Michael Joseph (Merrimack Publishers
Circle), 392 pp. \$25.00

by PIERS BRENDON

This year the London *Times* celebrates its bicentenary. As might be expected,



The Thunderer is making a good deal of noise about it: there have been television programs, commemorative issues, royal visits, and junketings galore, as well as the two books here reviewed. Fair enough: no other newspaper in the world has had a more distinguished past. But whether such rejoicings are justified by *The Times's* present worth or future prospects is another matter.

The paper, it is true, has been considerably modernized of late. Printing House Square used to resemble a cross between an Oxbridge college and a museum. Subeditors could be found translating Plato into Chinese and it was rumored that there was a man living in a cubbyhole under the stairs who wrote "The Times 100 Years Ago" from memory. Readers were not surprised to be told the latest news about the Hittite empire or extinct birds of New Zealand. But if Rupert Murdoch has done much to drag *The Times* into the twentieth cen-

Piers Brendon, author of The Life and Death of the Press Barons, lives in Cambridge, England.

tury, it can no longer boast the unique authority it had in the nineteenth.

Not that the Old Lady has been unduly corrupted by her most recent proprietor; she has after all been ravished before — by Lord Northcliffe. No, *The Times's* deterioration has been a gradual process. In fact, roughly speaking it can be said that the paper rose for its first hundred years and has been declining for its second.

A rascally coal merchant called John Walter founded *The Times* in a vain effort to prove the worth of his mad scheme for "logographic" printing — using fonts consisting of words instead of letters. But the paper could scarcely otherwise be distinguished from its many London rivals until the Walter family took a back seat and appointed a man of genius as editor in 1817. He was Thomas Barnes and he created The Thunderer. As well as disseminating the news more efficiently than ever before, Barnes turned *The Times* into what Hazlitt called "the greatest engine of temporary opinion in the world." He made



it the stentorian voice of contemporary popular movements (notably for parliamentary reform). And he thumbed his nose at governments that were accustomed to squash or square the press. "Why," exclaimed Lord Lyndhurst, "Barnes is the most powerful man in the country."

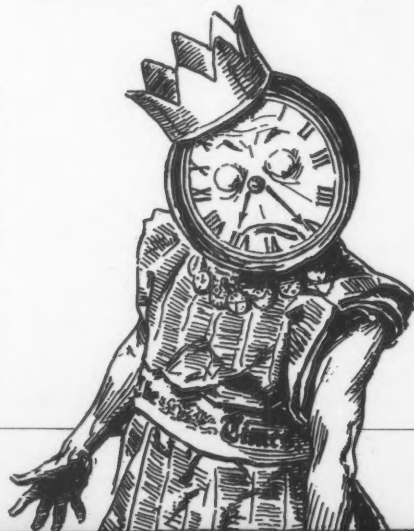
The paper's potency increased under Barnes's almost equally brilliant successor, John Thadeus Delane, who took over in 1841. Delane drove *The Times* to the highest pinnacle of journalistic in-



fluence and prestige. His most famous campaign, which helped to bring about the downfall of Lord Aberdeen's ministry in 1855, was to expose the grotesque incompetence of British conduct in the Crimean War, especially the treatment of the wounded, which Florence Nightingale was struggling to improve.

Delane insisted that "the Press lives by disclosures," and that in order to do its duty a newspaper must assert its "entire independence." At a more fundamental level the editor (though personally a terrific snob) was amplifying the criticisms leveled by the emergent middle class against the entrenched aristocracy. Delane's *Times*, then, was controversial and adversarial, and its ascendancy was everywhere acknowledged. Abraham Lincoln remarked that it was "one of the greatest powers of the world — in fact, I don't know anything which has much more power — except perhaps the Mississippi."

One reason the British government finally repealed the newspaper taxes in 1855 was that it so resented the "vile tyranny of *The Times*"; ministers hoped to encourage cheaper rivals and in this they were successful. Unable to compete



with its vulgar new contemporaries in terms of popularity, *The Times* confined itself to addressing the ruling elite. And after Delane's departure in 1877 it increasingly identified with that elite, speaking for it as well as to it. The editors now tended to be gentlemen and scholars instead of journalists. The paper became an institution, a court circular, a diplomatic gazette, a clubman's shroud, both a chronicle and a pillar of the Establishment.

By 1908 the paper was determinedly retrogressive. Its typography was Victorian. Its journalists preferred quill pens to typewriters and some of them refused to use the telephone at all. Its circulation had fallen to 35,000 and it faced bankruptcy. In that year it was bought by Lord Northcliffe, founder of the popular press in Britain. Like Rupert Murdoch three-quarters of a century later, he was willing to sink money in *The Times* in return for the prestige it conferred. But even Northcliffe found it almost impossible to reform *The Times*. He described it as "a barnacle-covered whale" and "a giant sloth," and claimed that its motto was "News, like wine, improves by keeping." Actually, while the journalist in Northcliffe craved to popularize the paper, the peer of the realm in him was revolted by the idea: he said it would be like putting "a Punch and Judy show in Westminster Abbey."

So although Northcliffe did manage to increase *The Times*'s circulation, by lowering its price, he did not fundamentally change its nature. And after his death in 1922, when it was bought by J. J. Astor, the paper became even more firmly wedded to the Establishment. This meant that between the wars *The Times* regarded the Tory prime minister Stanley Baldwin as the apotheosis of human wisdom and supported the appeasement of Hitler in the most craven terms. Both the books under review assert that the then editor, Geoffrey Dawson, did not suppress the news, despite his own confession that "I do my utmost, night after night, to keep out of the paper anything that might hurt [German] susceptibilities." But, as it happens, in certain instances he did avoid publishing information hostile to the Nazis, such as a detailed and well-informed exposé of

conditions in Dachau concentration camp, which had been obtained at some risk to the journalist concerned.

Not that *The Times* was blindly reactionary. It was, as Hazlitt had said, "ever strong upon the stronger side." Thus, after the war it supported the Labour government's introduction of the welfare state. But as soon as the Tories returned, it once again trimmed towards a safe conservatism. It backed Eden on the Suez invasion at first, but later turned with the tide. It opposed the expansion of higher education in the 1960s. It asserted, in a much-derided advertising campaign, that "Top People take The Times." And in today's Thatcherite Britain the paper is doing its best to outflank the *Daily Telegraph* from the right.

Of course, *The Times* is entitled to its opinions. But when it decides that news that does not coincide with its views or conform to its dignity is unfit to print, it lays itself open to criticism. *The Times*'s record in this respect is not a good one. Northcliffe complained that

its subeditors spiked news of an escaped elephant rampaging round London because it was too interesting. *The Times* refused to record Marilyn Monroe's arrival in Britain at the height of her fame to star in a film with Laurence Olivier. It delayed noticing a notorious attack on the queen by Lord Altrincham in the *Na-*



tional and English Review until it was unavoidable. More sinisterly, *The Times* inhibited its own freedom of action during the Suez crisis by accepting secret information from the government that it felt unable to use. A flagrant recent example of the paper's eagerness to kowtow to the Establishment was its burial on April 16 of the news that Princess Michael of Kent's father had belonged to Hitler's SS — while it featured a

*What a glorious thing it is
to enjoy the liberty and independence
of an Englishman!*



large, front-page picture of a minor but more wholesome royal couple who were off on a trip to Australia. In short, the modern *Times* has sold its soul to the Moloch of respectability.

The harmful effects of this sell-out have been compounded by the fact that for almost a century *The Times* has been what *The Economist* once called "a license to lose money." It has been reluctant to invest in improvements — news did not supersede advertisements on the front page until 1966. Certain of its features, particularly the letters and the obituaries, remain excellent. But its traditional function of being a newspaper of record is now lost. As a recent editor acknowledged, "*The Times* is not really in the hunt with *The New York Times* when it comes to having its own men out and about covering the world." It would matter less that *The Times* is behind the times if the paper's views were anything more than modern metropolitan Babbitt. Its opinion page is a boring and conventional mishmash. Its arts coverage is patchy. And its editorialists are mere organ-grinders of orthodoxy.

None of this is obvious from these two books and most of it can be gleaned only by reading between their lines. For the authors are ex-*Times* journalists and they perpetuate between hard covers the most serious faults of the newspaper. Thus, their books are dull, solid, ponderous, conformist, and respectful. Woods and Bishop, indeed, so venerate *The Times* that they bestow capital letters on the Editor and even on his Chair, while leaving, say, second world war in lower case. They also, though attempting to give a comprehensive history of the paper, turn out to be rather obvious and unoriginal. McDonald's volume, the fifth in the continuing series which comprises the official *History of The Times*, is worthy of its massive predecessors. This is not to condemn it utterly, for the book is important, intelligently written, and packed with firsthand information. It is altogether a suitable monument to the "barnacle-covered whale." But its tone, alas, like that of the present *Times*, is discreet and reverential where it should be abrasive and critical. Respectability is death to literature but it is damnation to journalism.

Second thoughts on the First Amendment

Emergence of a Free Press

by Leonard W. Levy
Oxford University Press. 383 pp.
\$29.95

by JAMES BOYLAN

It is twenty-five years since the publication of Leonard W. Levy's study of the origins of freedom of the press in America, *Legacy of Suppression*. Its title reflected its spirit, which was akin to that of a previous generation's favorite debunking tract, Charles A. Beard's *An Economic Interpretation of the Constitution*. Beard argued that the Founders had framed the Constitution to protect their private interests; for his part, Levy contended that the generation that wrote

James Boylan teaches journalism law at the University of Massachusetts, Amherst.

the First Amendment "did not believe in a broad scope for freedom of expression, particularly in the realm of politics."

If readers in 1960 found that *Legacy of Suppression* was presented contentiously, Levy makes the reasons clear in the preface to this new volume, a painstaking and thorough revision of the 1960 book. In 1957, Levy explains, the Fund for the Republic, headed by Robert M. Hutchins, hired him to prepare a scholarly memorandum on the origins of the First Amendment. He was surprised and angered to have his discussion of the free speech-free press clause rejected, apparently because of his finding that the theories of the Founders did not match the assumptions of twentieth-century liberals. Rather than submit to suppression himself, Levy expanded his work into a whole volume, brought out by Harvard University Press, in which, by his own account, he aimed "to spite Hutchins and The Fund."

He now concedes that he overdid it.



CJR/David Suter

In particular, he admits that he failed to take into account the vigor and daring of the eighteenth-century press and thus "was wrong in asserting that the American experience with freedom of political expression was as slight as the conceptual and legal understanding [of that freedom] was narrow." In other words, having now absorbed the contents of some thirty-eight newspapers of the time, he concludes that, even before the Bill of Rights, Americans did enjoy the benefits of a free press, but that the press had to do without the legal or constitutional theory that would have protected it consistently.

Are we then to regard the first edition as an error, to be disregarded in light of Levy's recantation? Hardly. The core finding of *Legacy* — and on this Levy has had no change of heart — is that the creators of the American system of law and politics found it hard to relinquish the idea that those in power were entitled to legal protection against injury by words. Because English common law had already ruled out prior restraint (that is, licensing or censorship), the key method for controlling the press in America (and in England) was prosecution for seditious libel. The deadly seriousness of this issue in the eighteenth century was symbolized, as Levy notes, in the practice of employing the hangman to burn words found to be seditious.

It is difficult for us in the twentieth century to grasp how hard it was even for enlightened eighteenth-century theorists to accommodate the notion that a criticized government might be a better government. As the historian Richard Hofstadter observed, the concept of an opposition party was "an immensely sophisticated idea"; the idea of a critical press was even more so. Development of a theory of a press free to monitor and attack government and government policies came in slow and halting steps, and even those who on one occasion spoke in the most libertarian terms would on the next be willing to suppress an unfriendly newspaper. (Levy notes that even the sainted Thomas Jefferson was an offender.) *Emergence of a Free Press* places this issue in a richer context than did *Legacy*, but does not fundamentally alter the earlier finding — that

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BOOKS

the Founders took it for granted that the press could be punished for speaking ill of government.

Legacy had the further value of sparking a valuable historical debate. Nearly half of the entries in Levy's bibliography were written after *Legacy of Suppression*, and many responded directly to it; there is even a (good) dissertation called "Legacy of Expression." Levy himself has been a continual participant in the debate, and in footnotes here he brusquely takes fellow scholars to task for what he considers errors or misreadings.

His argumentativeness can be excused, for the issues are important. Those who debate freedom of the press in the 1980s — journalists, scholars, lawyers, judges — inevitably either cite historical precedents or make historical assumptions to buttress their positions. As Levy traces English and American writing on freedom of the press from the 1600s into the nineteenth century, one glimpses in germinal form a cluster of issues that remain unresolved to this day: the limitations on the right to criticize public officials for their conduct in office, the shortcomings of truth as a defense in libel actions, the constitutional protection of opinion, the right to be in error. As Anthony Lewis pointed out in his excellent review of recent libel law in *The New Yorker* ("Annals of Law: The Sullivan Case," November 5, 1984), the old issue of seditious libel was one of the elements that helped determine the landmark *New York Times* libel case in 1964.

Levy makes clear that the American press of the early Republic was an integral part of the new political system. It was recognized not only as an extra-constitutional fourth, or watchdog, branch of government, but also as a guardian of other rights: "Freedom of the press had become part of the matrix for the functioning of popular government and the protection of civil liberties."

This conclusion casts a somber light on the present. If, as Levy asserts, the practices of the press ran ahead of theory in the eighteenth century, in the twentieth the situation may be reversed. The theory of the press as a fourth branch is now a commonplace; the question more

frequently raised today is whether journalism has abdicated its role as "part of the matrix for the functioning of popular government."

When, on occasion, the press does undertake an openly political role, it is possible to see how tentative have been the advances in the idea of a free press since the period Levy scrutinizes. As recently as Watergate, the White House explored the idea of a federal libel act that would have all but reinstituted the disastrous Sedition Act of 1798. And it remains possible still for a retired general to take a news organization to trial because it criticized his management of a war.

Seditious libel lives; bad old ideas die hard.

Pulliam's progress

**Publisher: Gene Pulliam,
Last of the Newspaper Titans**

by Russell Pulliam
Jameson Books. 318 pp. \$16.95

by MELVIN MENCHER

In 1966, Eugene C. Pulliam, then seventy-seven years old, was given the John Peter Zenger award by the University of Arizona for furthering freedom of the press and the people's right to know. Pulliam, publisher of the *Phoenix Gazette*, the *Arizona Republic*, the *Indianapolis Star and News*, and several Indiana weeklies, used the occasion to deliver a somber attack on government, which he described as "the natural enemy of the newspaper." There are, he said, "powerful forces aligned against the press, and therefore against the public. They are working to frustrate the free flow of information. It has been said many times, and newspapermen should never forget it — government is always the tyrant of the people, never its friend." He went on to bemoan "continually increased taxation for every conceivable type of social security and welfare. . . ."

It was vintage Pulliam. For almost four decades, his newspapers had in-

Melvin Mencher is a professor at the Columbia University Graduate School of Journalism and the author of two journalism textbooks.

veighed against big government and warned of the evils of communism and socialism. His anticommunism led him to embrace Franco, and he saw a streak of socialism in Earl Warren. In 1952, Pulliam offered to make speeches for Joe McCarthy in the Wisconsin primary. Those in public life who espoused his causes, or lent themselves to his purposes, received favorable treatment in his news columns. Those he found deficient were ignored or abused. Hardly the last of the titans that this hagiography by his grandson, an editorial writer for *The Indianapolis News*, describes him to have been, Pulliam was indeed one of the last of his kind — a lingering practitioner of personal journalism at a time when metropolitan dailies had drawn a firm line between the news and editorial pages. Among big-city publishers, Pulliam was a rarity.

Pulliam was also a man of paradox. He was a conservative Republican but pressured Indiana party leaders to support Eisenhower in his battle with Robert Taft for the presidential nomination of 1952. He brought department-store heir Barry Goldwater into Phoenix politics but turned away from him in his 1964 presidential bid. One reason Pulliam was given the Zenger award in 1966 was that he had pioneered the op-ed page to promote diversity of opinion. Yet two years later he all but closed his news columns to Robert Kennedy.

The author does not overlook Pulliam's news blackouts, the ham-handed page-one editorials and cartoons he ordered, his favorable treatment of those, like Lyndon Johnson, who played to his need in his later years (he died in 1975 at eighty-six) to be close to power. But much of this is known and has been documented in accounts of the later years of the Pulliam newspapers. What makes this book interesting is the author's description of Pulliam's early years as a journalist and then as an enterprising businessman who bought and sold newspapers in Florida and the Midwest. The son of a Methodist circuit rider in western Kansas, he brought to his papers the moralistic fervor of the midwestern Protestantism in which he was reared. Strongly influenced by William Rockhill Nelson of *The Kansas City Star*, for

whom he worked as a young reporter, Pulliam became an activist journalist and publisher. He put money into news coverage and modern equipment, provided his readers with first-rate community service, and played a key role in founding, in 1909, the journalistic fraternity Sigma Delta Chi.

In his early days as a journalist, Pulliam considered himself a progressive. In 1912, he editorialized against the idea that "property rights have supreme authority over other rights." He wrote that the "history of progress is in the history of protest." He fought the utilities and he opposed the Ku Klux Klan. He saw "endowed financial dynasties" as a "growing menace to the development of a happy democratic state." In a 1926 editorial, he urged that Eugene V. Debs, "the nation's greatest socialist leader," be admitted to the Hall of Fame.

As Pulliam's power in journalism widened, however, his vision narrowed. The former subscriber to Theodore Roosevelt's progressive philosophy became a proponent of the very values that as a young editor and publisher he had so strongly attacked. What changed the man who once knocked on readers' doors to urge them to support local bond

issues, who called for municipal action to build a gym, put in street lights, and set aside land for public parks, and who urged that public health services be provided for rural areas? The author does not speculate.

Nor, apparently, does he see the contradiction between his grandfather's use of the most powerful newspapers in Arizona and Indiana to keep news from readers, and his constant attacks on the government as the major enemy of the free flow of information.

The paradox of Pulliam's attack on government spending and his enthusiastic support of the Central Arizona water project — which, when completed, will cost \$3.5 billion, making it the most expensive water project in the country's history — escapes the author's analysis as well.

Perhaps this is the old story of a man's moving from left to right with the change in his economic status. More likely, the explanation lies deeper in the political psyche. Felix Frankfurter described the phenomenon half a century ago when he wrote that "the paradox of both distrusting and burdening government reveals the lack of a conscious philosophy of politics. It betrays some unresolved inner conflicts about the interaction of government and society." ■



'The paradoxical Pulliam brought department-store heir Barry Goldwater into Phoenix politics but turned away from him in his 1964 presidential bid'

The publisher and the senator in 1962

BRIEFINGS

by GLORIA COOPER

Unhealthy news

Science and the Media: The Boundaries of Truth, by Jay Winsten, *Health Affairs*, Spring 1985

One science reporter confesses that he almost has to hype a story if he expects it ever to see the light of day. Another denies exaggeration, but concedes the need to stretch her stories to some precariously permissible edge of truth. A third complains about the constant push from desk editors to cut the qualifiers out. And as if such internal pressures are not enough, there is the further certain knowledge that, however resolved one may be not to overstate a given story, one's colleagues at other news organizations are at that very same moment giving that very same story everything they've got.

But the operative standards of competitive journalism are not the only forces at work in distorting science news, according to this report on what is justifiably billed by its publisher as a landmark study on the relationship between science and the press. Conducted by a scientist/science writer (Winsten, who directs the Office of Health Policy Information at Harvard's School of Public Health, holds a doctorate in molecular biology, and devotes considerable time to free-lance writing for such publications as *The Wall Street Journal* and *The New York Times*), and based on lengthy interviews with twenty-seven senior science reporters and editors around the country, the study traces many of the excesses of science reporting to the scientific community itself.

Indiscriminate use of press conferences by academic medical centers competing for publicity; self-aggrandizing claims of individual researchers competing for prestige; carefully timed announcements by biotechnology companies competing for investors; professionally orchestrated public relations campaigns by practitioners competing for patients — no wonder so many of the journalists Winsten talked to feel "manipulated," "victimized," "horrified," and "inundated" by the deluge of science information pouring their way. Indeed, the author warns, the rapidly rising flood — one science writer notes that he gets four to five hundred pieces of mail a week, more than any other reporter in the newsroom — threatens to seriously alienate the very journalists it is trying so hard to impress.

As a detailed example of the way competitive science and competitive journalism conspire to produce science news unworthy of them both, Winsten tracks the coverage of a single study on Alzheimer's disease, the hot science story of late 1984. Noting that the climate was by then right for a media blitz — that summer, *The New York Times* had carried two page-one stories on new developments in Alzheimer's research and in October the government had announced five federal grants for research on the disease — Winsten shows how an article on a potential treatment published in the October issue of *Neurosurgery*, touted at a medical center press conference that included a patient's testimonial, and covered by NBC Nightly News, all three network morning news programs, MacNeil/Lehrer, Cable News Network, and countless newspapers around the country, took on a life of its own. With headlines like ALZHEIMER'S TREATMENT FOUND SUCCESSFUL and SCIENTISTS FIND FIRST BREAKTHROUGH AGAINST ALZHEIMER'S, the coverage produced some 2,600 calls to the



C.J. Nicoll/Asci

medical center from a public desperate for help — all on the basis of a single tentative study that involved only four patients, relied solely on subjective reports by patients' families, was not double-blind, and, as an editorial comment accompanying the article had pointed out (but the press release handed to reporters did not), failed to utilize any of the "standardized assessment scales . . . to support the assertions of family members that the patients were improved."

In the end, Winsten assigns primary responsibility for misleading the public in this and similar cases to the scientific establishment; for however much scientists may qualify their findings, he argues, and however much they may stress, as they did in the Alzheimer's case, that those findings are preliminary, the overriding message conveyed by calling a press conference or putting out a press release is that attention should be paid. To his colleagues in science, therefore, many of whom have been quite vocal in their complaints about the press, Winsten proposes conscious resistance to the self-promotional bug. To those in journalism, he offers a set of recommendations designed to counteract the pernicious effects of "science by p.r." Winsten's advice is not a miracle cure, but it seems a sensible course to follow in advancing the state of the public's informational health.

TV's right stuff

Convention Coverage, by William C. Adams, *Public Opinion*, December/January 1985

In a heroic contribution to the cause of media research, a professor of public administration at George Washington University has sat

through reruns of the thirty-nine-and-a-half hours of live convention coverage aired last summer (was it only last summer?) by CBS and NBC. Judging from his report, which appears as part of a package on Campaign '84 published by the American Enterprise Institute, Adams's sacrifice has not been entirely in vain. His most provocative finding: that during the 60 percent of total airtime devoted to such nonpodium business as interviews, interpretation, and commentary, newspeople displayed an unmistakable tendency to apply ideological labels with far more frequency to the doings in Dallas than to those in San Francisco — by Adams's count, such terms as "hard right," "right wing," "conservative," "fundamentalist," "ultraconservative," and the like were tossed out by Rather, Stahl, Moyers, Cronkite, Sawyer, Schieffer, and Morton on the average of once every six minutes in references to Republicans, while their linguistic counterparts in references to Democrats ("liberal," "leftist") showed up no more than once an hour, and the terms "left wing" and "left winger" not at all.

Adams's analysis also shows that, when it came to singling out members of Congress for on-camera interviews at the two conven-

tions, network newspeople were more inclined to bypass moderates in favor of conservative Republicans and (especially) of liberal Democrats; for example, although only 56 percent of Democrats in Congress fit the liberal category (as defined by *National Journal* ratings of their voting records on foreign, economic, and social issues), they accounted for some 85 percent of the total number of congressional interviews. The result, the author contends, was an unrealistic picture of ideological unity that overlooked the true range of opinion in the Democratic party.

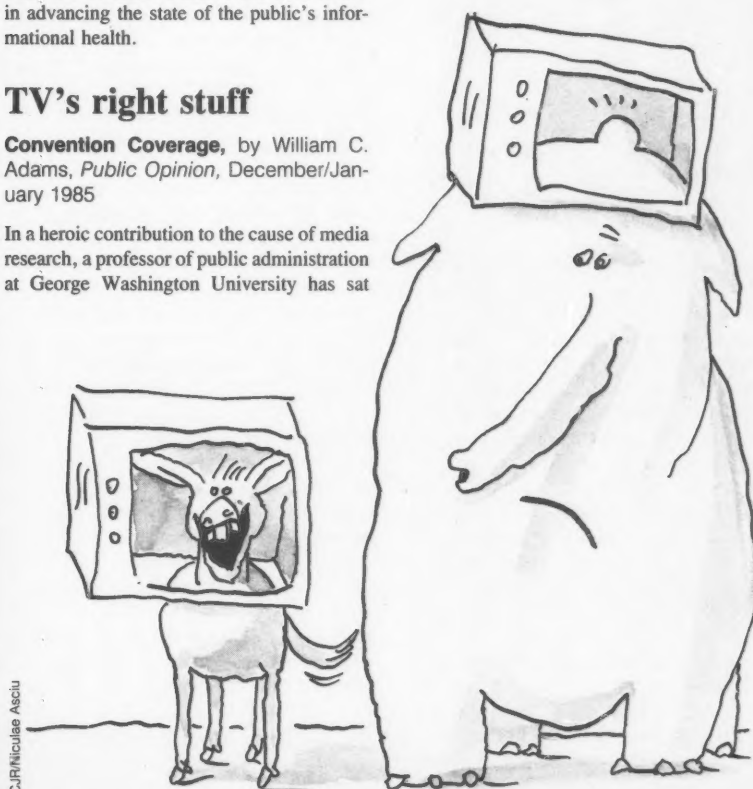
Nor were such missed interpretations and missing interviews the only signs of the news media's failure to grasp what Adams views as the real political story of 1984 — the mass defection of Democrats to Republican ranks. Another — in hindsight — was their seeming inability to ask the right questions, to confront each of the parties (but, again, particularly the Democrats) with the agenda of the other; as it was, Adams observes, those questions that did deal with policy took their cue from the Democratic agenda by a margin of seven to one, with Brokaw, Stahl, and Wallace, for example, hammering away at Republicans in Dallas with questions on arms control, while there was nary a challenging word to the Democrats in San Francisco about the growing economy, reduced inflation, intervention in Grenada, and prayer in the schools.

Wisely, Adams refrains from dropping even a hint as to what he thinks might account for such lapses in coverage, but it is safe to assume that his findings will be seized on by conservatives as further evidence of television's blindly liberal tilt — and as a welcome addition to their mushrooming stockpile of research weapons in their war against the press. Still, if his findings are fairly based, journalists might be equally wise to do some quiet searching of the soul. Who knows — it may even help us spot the real political story of 1988.

Noble experiment

Spiked: The Short Life and Death of the National News Council, by Patrick Brogan, a Twentieth Century Fund paper, 1985

When the National News Council died at the tender age of eleven in 1984, its mourners were few. Gradually and now suddenly, however, their numbers have increased to include the likes of CBS newsman Mike Wallace and retired General William C. Westmoreland, both of whom publicly lamented



C. R. Nicolson



CJR/Niculae Asciu

the absence of such a body in the aftermath of the general's historic — and expensive — libel suit against CBS. Why the general did not avail himself of the offices of the NNC when the offending CBS documentary aired in 1982 is anybody's guess, but if it turned out to be simply because he did not know that it was there, neither the news media nor the council itself would have been very much surprised.

Lack of visibility, however, was only one of the problems that plagued the NNC, as this unsparing account makes clear. Sponsored by the foundation whose 1972 task force had seen the need for a nongovernmental forum where grievances against the news media could be heard and redressed (and which, together with the Markle Foundation, provided much of the council's moral and financial support), and written by an editorialist for the *New York Daily News* (who, he is careful to note, was himself the target

of an NNC complaint), the 129-page report sketches a warts-and-all portrait of the council from conception, labor, and delivery through infancy, dotage, and ignominious death.

Brogan has done his homework well. Drawing on memorandums, interviews, minutes, and correspondence as well as on voluminous records relating to the 277 complaints that the council dispatched, the author traces the organizational missteps, personality conflicts, errors in judgment, and failures of nerve that seem to have conspired from the very start against the experiment's success. Would the outcome have been any happier if, at a 1970 preliminary planning meeting of eight media bigwigs that included then managing editor A. M. Rosenthal of *The New York Times*, a tactical blunder had not been made that sent Rosenthal storming from the room — and away from any possibility of future cooperation in the council's work?

... If the Ford Foundation had not withheld crucial financial support, possibly to avoid incurring the wrath of the *Times* and other important news organizations opposed to the council's very idea? ... If former Supreme Court Justice Arthur Goldberg had accepted the invitation to membership on the council's board, instead of pridefully holding out for the unforthcoming post of cochairman, so as not to be subordinate to the council's then chairman, who was only a California supreme court judge after all? ... If the council had seized the golden opportunity offered by Watergate to enter the front-page national debate on the role of the press, instead of timidly choosing to sit that scandal out? ... If Norman Isaacs, the council's third and most dynamic chairman, had not seemingly allowed personal considerations to becloud his professional judgment when it came to handling such sticky cases as *Life* magazine's coverage of the murder of journalist David Halberstam's brother, and *The Village Voice*'s series on the murder of Democratic politician Allard Lowenstein? ... If Isaacs's successors had been more up to the job?

Possibly. At this moot point in time, however, Brogan's gossipy study is perhaps best read not so much as a record of hopelessly wrong turns, but rather as a useful map on which are marked the potholes, detours, and speed traps to avoid on the road to News Council II. In addition, both negative lessons and positive ones — and yes, there were a few of those — of the NNC experience, together with a working knowledge of the background of the now highly successful British model (a description of which appears in one of the study's several helpful appendices), lead Brogan to some suggestions of his own for the next time around: more modesty in trappings, more boldness in approach, more youthfulness and aggressiveness in staff; less eagerness to please the news media, less dependence on a major donor, less identification with the East Coast powers-that-be (translation: put the council's office in Washington, D.C.).

No matter how many procedural changes are made, of course, success of any news council must ultimately rest on the readiness of the press to face up to its mistakes. Government antagonism and public hostility — the disturbing trends that sparked the news council concept in the first place (and which have not, in the interim, gone noticeably away) — have helped some in the news media to see the light; recent trends in libel suits may make more converts yet. Threats to freedom and public acceptance are pretty good incentives, but they can't beat a threat to the bottom line. ■

UNFINISHED BUSINESS

Libel and the cry-baby press

TO THE REVIEW:

Michael Massing's "The Libel Chill" (CJR, May/June) conjures up visions of a journalistic wailing wall with journalists of all echelons lamenting the cruel and undesired afflictions visited upon them. Massing spends many pages describing the enormous financial costs of libel litigation to the press, and the destructive social and domestic problems entailed; like the self-centered media of which he is a part, Massing seems to forget that libel plaintiffs also have to bear the costs of litigation (Sharon \$1 million, Tavoulares \$2 million, Westmoreland \$2 million) and also suffer social and domestic concussions in fighting for the redemption of their reputations.

Massing closes the article with a quote from General Westmoreland, who deplored the ordeal of his libel suit and suggested that there ought to be a better way. That better way was not mentioned in the article, but in a recent speech before the National Press Club the general suggested the establishment of a news council as the way to go. Since the press buried the National News Council last year, such a suggestion must have sounded ludicrous to his journalistic audience. However, if the press again rejects a national news council, what alternative is left to assure fairness to both antagonists — the public and the press? Obviously, the only other solution — which will leave the press frothing at the mouth — is "licensing," a cure that will guarantee results.

JOSEPH KRASNER
Brick Town, N.J.

The story on Cap Cities

TO THE REVIEW:

It offends me as a journalist to see the continuing pro-union, anti-Capital Cities bias reflected in CJR articles, as it has been since the Wilkes-Barre newspaper strike in 1978. The latest is Michael Hoyt's editorial, "Cap Cities and the Bottom-line Press" (CJR, May/June), not to mention the Chronicle-section piece titled "Cap Cities Wields the Ax," which appeared in the same issue.

The implication that Cap Cities mistreats and runs roughshod over its employees is untrue. And statements like "prefers crushing to winning" and "squeezing its people

at the bottom" are ridiculous. From my perspective as a twenty-three-year staff member of the *Fort Worth Star-Telegram*, the last decade under Cap Cities ownership, I would say the opposite is true. When we won the Pulitzer Prize for public service in April, our publisher, Phil Meek, announced a \$250 cash bonus for every full-time member of the editorial and circulation departments — at a cost of more than \$100,000 to the company. Does that sound like squeezing?

Without going into detail, here are a few facts from my experience: our newspaper editorial budget has increased more than five times over what it was under the previous ownership, newsroom salaries have risen to a competitive level, and employee benefits have been dramatically improved, including the opportunity for all employees to buy company stock at a reduced price. News space has risen about 80 percent since 1978, and more than 115 editorial staff positions have been added since then.

We should have had it so good in pre-Cap Cities days.

JACK B. TINSLEY
Executive editor
Fort Worth Star-Telegram
Fort Worth, Texas

TO THE REVIEW:

As the former assistant Sunday editor of *The Daily Register* of Shrewsbury, New Jersey, who left several months before the "Bloody Thursday" mass firings, I was pleased to see the Chronicle piece about what Capital Cities' new management team is doing at the paper. I was surprised to see, however, that the identification of the piece's writer, Pamela Abouzeid, did not include the fact that she is a former *Register* reporter.

JULIE M. ELLIS
New York, N.Y.

The editors reply: *Ms. Ellis's point is well taken. We should certainly have noted that Pamela Abouzeid was a reporter at the Register in 1979-80.*

Who's deceiving whom?

TO THE REVIEW:

When a journalist sets out to accuse government officials of lying and other deceptions he should take pains to make sure of his own facts. Anthony Marro, I fear, made some

serious errors in "When Government Tells Lies" (CJR, March/April). The following list is not necessarily exhaustive, but it is indicative of carelessness. I won't accuse Marro of lying.

□ Marro suggests that President Reagan was wrong when he said that there were enough arms found on Grenada to supply thousands of terrorists. He said that reporters "found some of the warehouses half-empty . . . and many of the weapons antiquated, possibly more suited for defense by an island militia than for the export of revolution and terrorism."

According to the Defense Department's list of weapons found on Grenada, there were 1,626 Soviet AK47 assault rifles, 1,120 model 52 Czech rifles, 4,074 KS rifles, and 2,432 Mosin Nagent 7.6 mm Soviet rifles. There were many other rifles, plus machine guns and mortars. These numbers would seem to justify President Reagan's statement. It is possible that Marro was misled about the antiquity of the rifles by a story by *Washington Post* reporter Loren Jenkins which said that some of the rifles were .30-30 Marlin carbines made in 1870. That story was discredited when arms experts pointed out that no such Marlins were made in 1870 and .30-30 ammunition was not introduced until 1895. Unfortunately, *The Washington Post* never acknowledged this error.

□ Marro writes that "the Reagan administration insisted that its changes in the Social Security Disability law were intended only to get rid of people who had no right to the government aid in the first place." He is evidently referring to an amendment to the law that was passed by Congress in 1980, during the Carter administration, in response to a GAO investigation which showed that billions of dollars were being paid to individuals whose claims to disability were fraudulent. Congress required that the recipients of disability benefits be checked and the cases of fraud weeded out. Marro is incorrect in attributing this change in the law to the Reagan administration. It did, however, implement the law, and, because of the protests that were amply reported in the media, Congress asked that safeguards in the review process be introduced to reduce the hardship on persons whose benefits were cut off without adequate justification. Marro was perhaps misled by the impression created by Bill Moyers's documentary "People Like Us"

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that the change in the law was part of the Reagan budget cutbacks. This error was pointed out to CBS, but it never did anything to correct the misleading impression on the air.

□ Marro attacks the State Department's 1981 white paper on El Salvador on the basis of an article by Jonathan Kwitny published in *The Wall Street Journal* in June 1981. He writes that Kwitny "found the evidence [of outside aid to the Salvadoran guerrillas] something less than it had been made out to be." Marro is apparently unaware of the fact that it has been demonstrated that Kwitny did not himself make any discoveries about the white paper. Philip Agee, the CIA defector, charged that Kwitny's article had been cribbed from his analysis of the white paper without giving him any credit, or even mentioning his name. A comparison of Kwitny's article and Agee's work shows that there was indeed a close correspondence between the two. Even some of Agee's errors showed up in Kwitny's piece. Kwitny acknowledged having seen Agee's article. He said he was unaware that it had had any distribution except to a few old friends of Agee's.

There were some errors in the white paper, to be sure, but neither the criticisms of Kwitny nor of Robert Kaiser of *The Washington Post* discredited its basic findings, and both the Cubans and Nicaraguans have subsequently admitted that they were giving substantial aid to the guerrillas in El Salvador during the period covered by the white paper.

Where was the more significant deception — in the white paper or in articles by Kwitny and Kaiser, both of whom leaned heavily on Agee without giving him proper credit?

REED IRVINE
Chairman
Accuracy in Media
Washington, D.C.

Anthony Marro replies: *Except for the AK-47 assault rifles, all of the weapons listed by Irvine are classified by Jane's Infantry Weapons (1982-83 edition) as being "obsolete." According to Jane's, the Mosin Nagent rifles are "not found in first-line service with any regular army," the Czech Model 52s are no longer in service in Czechoslovakia, and the Soviet KS rifles are no longer used in the Soviet Union "except for ceremonial purposes."*

Irvine is right in saying that Congress, during the Carter administration, mandated a review of Social Security disability rolls. What I was referring to by "changes" were the new criteria set by the Reagan administration — criteria that congressional oversight committees and federal judges have since found went well beyond any mere weed-

ing out of fraudulent claims and instead resulted in a wholesale purge of the rolls. Senator John Heinz characterized the Reagan administration's review process as being "out of control," adding that "Congress simply did not intend for American workers who had paid into this system and were entitled to benefits to be removed from the rolls in this insane fashion."

Irvine has contended for several years that Agee's criticisms of the so-called white paper were a source of information, and possibly a source of inspiration, for Kwtiny and The Wall Street Journal. I was aware of this when I wrote the piece, just as I was familiar with the long rebuttal by Frederick Taylor, the executive editor of the Journal, which was published in August 1981. Kwtiny has said that he had a copy of Agee's critique, but that the main sources of information were the State Department documents themselves and the officials who were quoted in his article. The point of Kwtiny's piece was not that the State Department's claim that arms were being shipped into El Salvador was in error, but only that its "evidence" was much less solid than it first was made out to be.

A LaRouchian replies

TO THE REVIEW:

Although I was personally somewhat amused at NBC's Pat Lynch purporting to defend "responsible journalists" against the practices of "LaRouchies" ("Is Lyndon LaRouche Using Your Name?" *CJR*, March/April), I feel it is my duty, as an alumnus of Columbia College, to respond to such a shoddy piece of journalism in *CJR*.

There is much that can be said about Lynch's article, which is nothing but a mass of innuendo and insinuation, unsupported by any corroborating evidence. I will, however, only comment on one minor part of her article — her charges concerning my behavior as a journalist.

She offers this as an illustration of her contention that "LaRouchies" impersonate other journalists. The nub of her charge in my case is her contention that a camera crew which I led "implied" that it was working for NBC News. Now the word "implied," in such a context, should have set off alarm signals with any competent editor. Were I impersonating an NBC reporter, I would have in some way identified myself as an NBC reporter. Why not say that I did that if I did it? If I didn't do it, I wasn't impersonating anybody, so what's the point of Lynch's story?

Had Lynch checked with available eye-

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witnesses, she would have learned that, at the start of the interview in question, I identified myself by name as a reporter for a venture, New Solidarity Video, which never quite made it to the airwaves. As the interviewee, Terry Dalton, explained to me, it was his wife who told him I was an NBC reporter, simply because I had asked her questions about Mr. Dalton's collaboration with NBC.

LaRouche's news team, incidentally, is notorious for the vigorous way in which we check potentially damaging information about the subjects of our reports, regardless of whatever political or other differences we may have with them.

STANLEY EZROL
Washington bureau chief
Executive Intelligence Review
Washington, D.C.

The editors reply: *On one point, at least, the Daltons' recollection of Ezrol's visit to their home matches that of Ezrol: there was an initial misunderstanding. Mrs. Dalton recalls that, at the door, Ezrol said he was "doing a story on NBC," a network for which Mr. Dalton filed election returns. Mrs. Dalton took this to mean that Ezrol and his crew were also working for the network; thus, when her husband entered the room and asked who these people were, Mrs. Dalton said simply, "NBC." Both Mr. and Mrs. Dalton say that Ezrol did nothing to clear up this confusion, adding that it was only after Mrs. Dalton, upset by the "abusive questioning," repeatedly insisted that Ezrol identify himself that he produced a card. Neither of the Daltons recalls any mention of New Solidarity Video.*

Correction

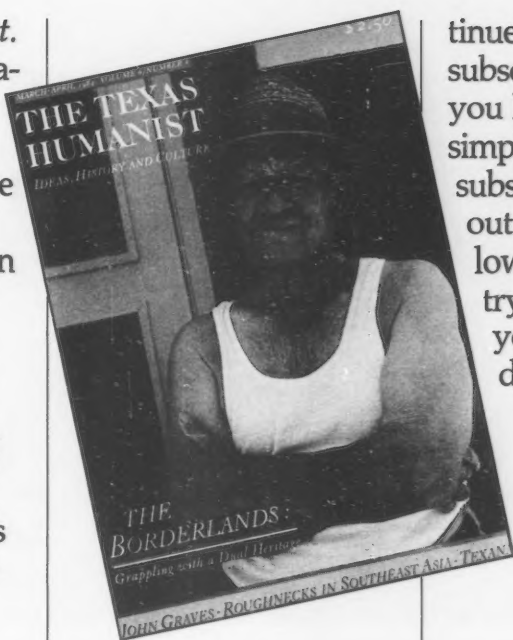
A piece in the *Review's* Comment section ("Cap Cities and the Bottom-Line Press," May/June) included *The MacNeill/Lehrer NewsHour* in a list of news organizations which, in reporting on Capital Cities' takeover of ABC, omitted any mention of the company's labor history. In fact, on March 20 the *NewsHour* broadcast an interview with Capital Cities chairman Thomas S. Murphy in which he was specifically questioned about his company's anti-union policy. The *Review* regrets the error.

Deadline

The editors welcome letters from readers. To be considered for publication in the September/October issue, letters should be received by July 22. Letters are subject to editing for clarity and space.

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New London, Conn., Day 4/10/85

Actor reveals he's AAA member

Moose Jaw, Saskatchewan, Times-Herald 4/16/85

League members not only cooked and served 110 children a day, at a cost of 8 cents per child, but also cleaned up when they were done, said Alice Mizell.

Gainesville, Fla. Sun 4/17/85

Pesticide Concerns Blossom

Williamsport, Pa., Sun-Gazette 5/21/85

U.S. Grant to Help Clear Lake Weeds

Burlington, Vt., Free Press 5/18/85

D.C. Street Vendors Get New Curbs Today

The Washington Post 5/15/85

Park ends spraying Dutch for elm disease

Grosse Pointe, Mich., News 4/11/85

How to combat that feeling of helplessness with illegal drugs

The Royal Gazette (Bermuda) 5/9/85

Surplus Store Owner Sentenced To Prison

Fayetteville, N.C. Observer 5/14/85

Man minus ear waives hearing

Jackson, Tenn., Sun 5/26/85

Retired priest may marry Springsteen

Bloomington, Ind. Herald-Times 5/12/85

Correction

In last week's edition of the Michigan Chronicle, the story "Fauntroy stirs breakfast crowd," Congressman Walter Fauntroy's grandmother was misidentified. The matriarch was known to Fauntroy family members as "Big Ma," not "Big Mouth" as reported.

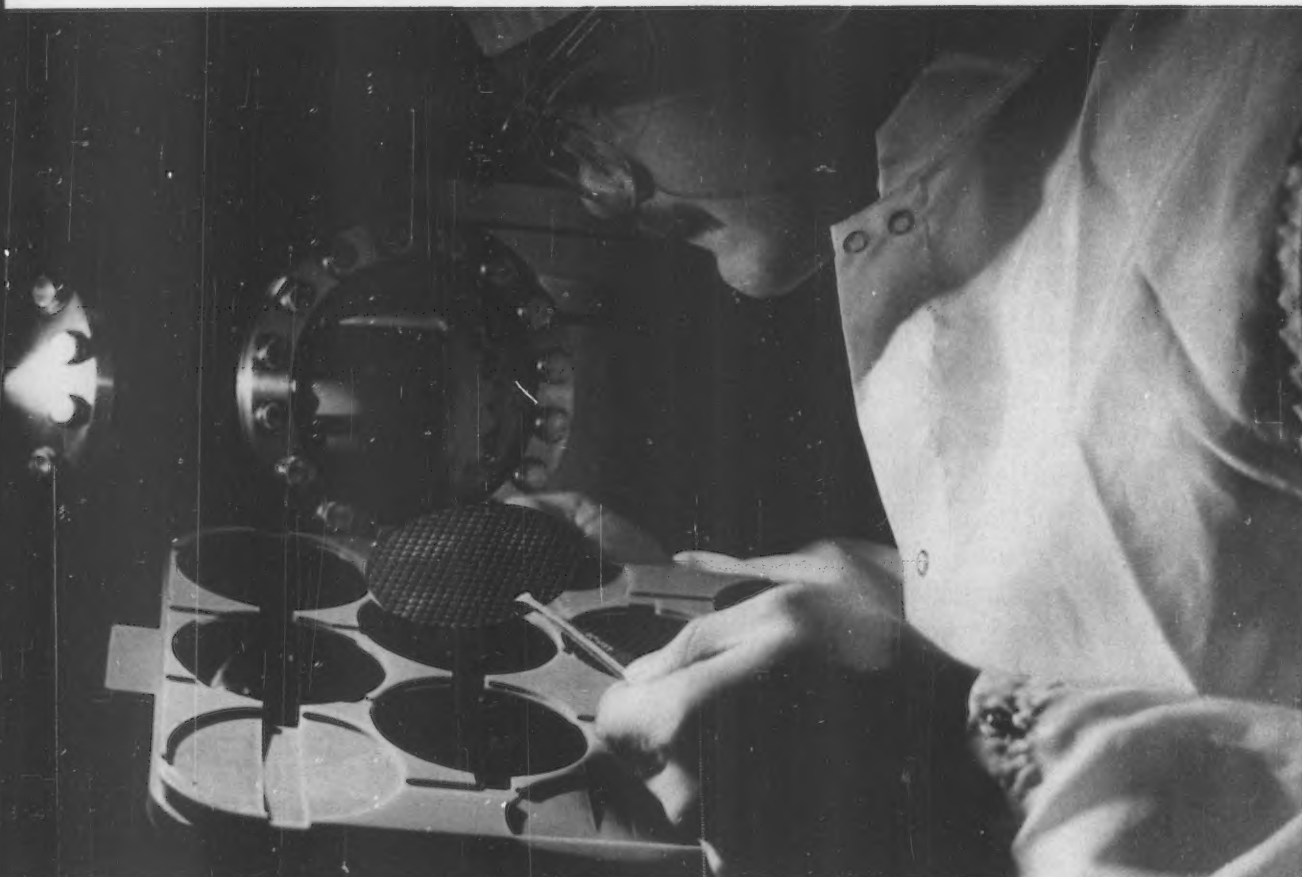
The Michigan Chronicle 5/11/85

Singapore addicts turn to dried dung

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